VIRGINIA

Virginia C. Foskett, Lynnhaven, Va., in place of M. V. Mills, retired.

VIRGIN ISLANDS

Virginia C. Foskett, Lynnhaven, Va., in place of Adele Berg, resigned.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 18, 1956.

POSTMASTER

William E. Eaton to be postmaster at Ivydale, in the State of West Virginia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 18, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, our creator and benefactor, we rejoice that the coming in and the going out of all our days are in Thy gracious keeping and control.

Grant that in a spirit of gladness and gratitude we may express our appreciation of the many glorious opportunities which this new day has brought us for self-culture and service.

May it be a day when the thoughts of our mind, the words of our mouth, and the labor of our hands shall be acceptable and well pleasing unto Thee.

Inspire us to walk and work with one another in the strength of minds illumined by Thy divine wisdom and in the joy of hearts warmed by Thy divine love.

May our vision of a blessed social order be so clear and commanding that we shall feel constrained and compelled to make every effort and sacrifice to bring it to fulfillment.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah;

H. R. 9742. An act to provide for the protection of the Okefenokee National Wildlife Refuge, Ga., against damage from fire and drought; and

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia; and

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 849) entitled "An act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. MURRAY, Mr. LEHMAN, Mr. SMITH of New Jersey, and Mr. PURTELL to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3275) entitled "An act to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. SMATHERS, Mr. BIBLE, Mr. DUFF, and Mr. PAYNE to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3897) entitled "An act to improve governmental budgeting and accounting methods and procedures, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. HUMPHREY of Minnesota, Mr. WOFFORD, Mr. SYMINGTON, Mrs. SMITH of Maine, Mr. COTTON, and Mr. MARTIN of Iowa to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5265) entitled "An act to exempt certain additional foreign travel from the tax on the transportation of persons."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) entitled "An act to provide benefits for the survivors of servicemen and veterans, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9593) entitled "An act to simplify accounting, facilitate the payment of obligations, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 11124) entitled "An Act to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. JOHNSTON of South Carolina, Mr. O'MAHONEY, Mr. WATKINS, and Mr. WELKER to be the conferees on the part of the Senate.

OJO DEL ESPIRITU SANTO GRANT

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo grant and a small area of public domain adjacent thereto with Senate amendments thereto, disagree to the Senate amendments and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HALEY, SISK, and RHODES of Arizona.

VIRGIN ISLANDS NATIONAL PARK

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and WESTLAND.

WASHOE RECLAMATION PROJECT

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, with a House amendment thereto, insist on the House amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and MILLER of Nebraska.

INTERNATIONAL JURIDICAL COMMISSION

Mr. DODD. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 668) to urge the creation of an Interna-

tional Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas there is an abundance of evidence now available to support the charge that the leaders of the international Communist movement are guilty of a long list of crimes against humanity; and

Whereas there are many persons in the free world able to give eyewitness testimony to the crimes against humanity committed by the leaders of communism and to identify official documents, directives, records, and other written evidence necessary to support the essential details of such crimes; and

Whereas the orderly collection and safekeeping of such evidence and testimony is essential in order that a just and truthful account of Communist crimes be made a part of history; and

Whereas the leaders of the international Communist movement are now engaged in an intensive campaign to place sole guilt and responsibility for these crimes against humanity upon the deceased Dictator Stalin thus relieving themselves of complicity in such crimes; and

Whereas the effort of the present rulers of the Kremlin to absolve themselves from complicity in a long list of crimes against humanity is aimed at covering the conspiracy of communism with a deceptive cloak of respectability which can only lull free people into a false sense of security, divide the free world alliances and rapidly increase the danger of world war III;

Whereas the experience gained at the International War Crimes Trials at Nuremberg following World War II demonstrated that the scarcity of authentic records, sworn testimony of eyewitnesses and other documented evidence made difficult and in some cases impossible the prosecution of persons who were participants in a wide range of crimes against humanity; and

Whereas the North Atlantic Treaty Organization is a grouping of free nations dedicated to the defense of human freedom and the safeguarding of such nations against Communist aggression: Now, therefore, be it

Resolved, etc., That it is the sense of Congress that the establishment of an International Juridical Commission, within the framework of North Atlantic Treaty Organization, is both necessary and timely in order to document all available evidence on the crimes against humanity committed by the leaders of the international Communist conspiracy; to prevent those individuals implicated in such crimes from purging themselves of guilt by passing all responsibility to former leaders of the conspiracy now deceased; to prevent the conspiracy of communism from cloaking itself with unwarranted respectability and to reduce the dangers of a world war III.

The President and Secretary of State are respectfully urged to take immediate steps to cause the establishment of such an International Juridical Commission within the framework of North Atlantic Treaty Organization.

With the following committee amendment:

Page 2, strike out the following:

"Whereas the experience gained at the International War Crimes Trials at Nuremberg following World War II demonstrated that the scarcity of authentic records, sworn testimony of eyewitnesses, and other documented evidence made difficult and in some cases impossible the prosecution of persons who were participants in a wide range of crimes against humanity."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Speaker, the adoption of this resolution by the unanimous action of this House is a most significant development in the struggle between the free world and the slave world of communism.

The resolution which I introduced and which was unanimously adopted by the House Committee on Foreign Affairs, and which was unanimously passed by this body today, will provide the United States with one of its strongest weapons in the fight for freedom which engulfs the world.

This resolution which recommends to the President of the United States the establishment of a Juridical Commission within the North Atlantic Treaty Organization for the purpose of collecting and preserving evidence of Communist crimes against humanity will give the Communist tyrants reason for pause and hesitation in their course of evil conquest.

With the passage of this resolution, the Communist despots will know that the free world is not only aware of their crimes, but that it is preserving evidence of them.

Some day, in God's good time, the evil that these Communists have done will be judged and punished by the forces of decency in the world.

In these days when the Communists are striving desperately to shoulder off all responsibility on to the corpse of Stalin for the many crimes against humanity, this resolution will serve notice on his living disciples that they cannot escape justice and punishment.

Besides, and not of the least importance, the Commission which this resolution recommends will preserve for history an authentic record of the evil that is known as Communist tyranny.

Generations yet unborn can learn a lesson from the records of this Commission.

That lesson is that there is no extent to which the forces of evil in this world will not go.

That lesson is that there is no price too high to pay for liberty.

That lesson is that the struggle between good and evil is one that never ends.

That lesson is that nothing matters so much as that goodness must triumph.

CORRECTING INEQUITIES IN DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1953

Mr. DAVIS of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2715)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 4, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment and, on page 2, line 7, of the House engrossed bill strike out "SEC. 3." and in lieu thereof insert "SEC. 2."; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "3"; and the Senate agree to the same.

JAMES C. DAVIS,
JOHN BELL WILLIAMS,
JOEL T. BROYHILL,
Managers on the Part of the House.

ALAN BIBLE,
J. ALLEN FREAR, Jr.,
J. GLENN BEALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment strikes out the provision of the House bill which provides additional compensation for privates in the Fire Department who are assigned to duty as acting sergeants. The House recedes.

Amendment No. 2: This amendment strikes out the provision of the House bill which prevents certain inspectors in the Fire Department from counting, for the purpose of computing their entitlement to certain longevity increases, certain service occurring prior to the enactment of the District of Columbia Police and Firemen's Salary Act of 1953. The Senate recedes with the appropriate change in the section number.

Amendment No. 3: This amendment strikes out the provision of the House bill which provides for the assignment of 15 privates to duty as acting sergeants. The House recedes.

Amendment No. 4: This amendment strikes out the provision of the House bill which repeals the provisions of law granting authority for payment of additional compensation of $5 per month to outstandingly efficient police and firemen. The House recedes.

Amendments Nos. 5 and 6: These are technical conforming amendments. The House recedes with an amendment on No. 5, and the Senate recedes on No. 6.

JAMES C. DAVIS,
JOHN BELL WILLIAMS,
JOEL T. BROYHILL,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LA PUNTILLA MILITARY RESERVATION, SAN JUAN, P. R.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9506) to provide for the conveyance of La Puntilla Military Reservation, San Juan, P. R., to the Commonwealth of Puerto Rico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey the property described in section 2 of this Act to the Commonwealth of Puerto Rico, by quitclaim deed, without monetary consideration therefor.

SEC. 2. The real property to be conveyed to the Commonwealth of Puerto Rico consists of 3.24 acres, more or less, together with improvements thereon, in the city of San Juan, Puerto Rico, described as follows:

Beginning at a point marked by a large granite post sunk in the ground, having a punched brass bolt let into the top, located on the line between the Department of the Army reservation known as La Puntilla and the lighthouse reservation, about 30 feet east of the true north and south line permanently established in 1913; thence south 85 degrees 46 minutes 50 seconds west, 257.58 feet; thence south 5 degrees 4 minutes 22 seconds east, 98.26 feet; thence south 84 degrees 6 minutes 39 seconds west, 273.53 feet; thence north 5 degrees 35 minutes 22 seconds west, 177.751 feet; thence south 46 degrees 6 minutes 6 seconds east, 79.609 feet; thence north 40 degrees 38 minutes 56 seconds east, 286.78 feet; thence south 4 degrees 23 minutes 37 seconds east, 11.14 feet; thence south 4 degrees 23 minutes 37 seconds east, 8.67 feet; thence in arc of 90 degrees 18 minutes 6.5 seconds—13.7 feet, r=8.7 feet, 13.709 feet; thence north 85 degrees 33 minutes 41 seconds east, 8.49 feet; thence north 85 degrees 33 minutes 41 seconds east, 79.85 feet; thence north 25 degrees 26 minutes 25 seconds east, 345.5 feet; thence north 74 degrees 6 minutes 51 seconds east, 108.94 feet; thence north 75 degrees 3 minutes 42 seconds east, 33.63 feet; thence north 82 degrees 30 minutes 11 seconds east, 56.47 feet; thence south 87 degrees 26 minutes 54 seconds east, 42.25 feet; thence south 27 degrees 33 minutes 6 seconds west, 7.74 feet; thence north 87 degrees 26 minutes 44 seconds west, 19.90 feet; thence south 28 degrees 27 minutes 23 seconds west, 107.80 feet; thence south 3 degrees 7 minutes 58 seconds east, 122.65 feet; thence south 86 degrees 32 minutes 46 seconds west, 84.51 feet; thence south 3 degrees 24 minutes 22 seconds east, 134.04 feet; thence north 86 degrees 30 minutes 8 seconds east, 83.86 feet; thence south 3 degrees 7 minutes 58 seconds east, 172.53 feet; thence south 85 degrees 46 minutes 50 seconds west, 126.65 feet, containing 4.55 acres, more or less, excepting and reserving unto the United States, however, a portion thereof comprising 1.31 acres, more particularly described in Executive Order No. 8867 dated August 22, 1941, "Transferring to the Control and Jurisdiction of the Treasury Department a Certain Portion of the Military Reservation at 'La Puntilla' San Juan, Puerto Rico".

With the following committee amendment:

Page 1, line 6, strike the period and add the following: "but on condition that the property will be maintained by the Commonwealth of Puerto Rico as a historic monument."

Mr. DURHAM. Mr. Speaker, I offer a substitute committee amendment to the committee amendment appearing in the bill.

The Clerk read as follows:

Amendment offered by Mr. DURHAM as a substitute for the committee amendment: On page 1, line 6, strike the period and add the following: "but on condition that the property will be maintained by the Commonwealth of Puerto Rico as a historic monument, and if such property shall ever cease to be maintained by the Commonwealth of Puerto Rico as a historic monument, or for other similar purposes, all the right, title, and interest in and to such property shall revert to, and become the property of the United States, which shall have the immediate right of entry thereon."

The substitute amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS AGAINST ADMISSION OF THE COMMUNIST REGIME IN CHINA AS THE REPRESENTATIVE OF CHINA IN THE UNITED NATIONS

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution (H. Con. Res. 265) expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its previous expressions should be and are hereby reemphasized that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as the representatives of China; and

That the Congress hereby expresses its conviction that such admission would gravely injure the United Nations and impair its effective functioning in accordance with the aims, principles, and provisions of the United Nations Charter.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY of New York. Mr. Speaker, the purpose of House Concurrent Resolution 265 is clear. It is to reemphasize the sentiment of the American people, through its Congress, that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as a representative of China.

It was the strong view of the committee that this matter is so essential and vital that the overwhelming sentiment of the American people through its Congress should be again stated in certain and positive terms. The history of previous expressions on this subject is compiled in the House report accompanying House Concurrent Resolution 265, and follows:

1948: STRATEGY AND TACTICS OF WORLD COMMUNISM—SUPPLEMENT III, COMMUNISM IN CHINA (REPORT OF FOREIGN AFFAIRS SUBCOMMITTEE ON NATIONAL AND INTERNATIONAL MOVEMENTS)

January 19, 1951: House Resolution 77, 82d Congress, 1st session.

May 15, 1951: House Resolution 96, 82d Congress, 1st session.

July 21, 1953: Amendment to Departments of State, Justice, and Commerce Appropriation Act, 1954.

July 10, 1953: Extracts from House Report 768 (83d Cong., 1st sess.) accompanying House Concurrent Resolution 129.

August 26, 1954: Extract from section 101 of the Mutual Security Act of 1954 (Public Law 665, 83d Cong. 2d sess.).

July 8, 1955: Section 12 of the Mutual Security Act of 1955 (Public Law 138, 84th Cong., 1st sess.).

May 10, 1956: Extract from House Report 2147 (84th Cong., 2d sess.) Report of the Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific (pp. 203, 204).

Special emphasis should be given to part of the report of the Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific when they returned and said:

The United States must steadfastly refuse to recognize the Communist regime in China and must resist its admission to the United Nations.

On the grounds that—

Legally, such admission would make a mockery of the United Nations Charter.

And:

Politically, admission to the United Nations would be a smashing victory for world communism.

And:

Morally, it would be an equally devastating defeat for the free world.

June 20, 1956: Section 110 of the Department of State Appropriation Act, 1957 (title I of Public Law 603, 84th Cong., 2d sess.).

July 14, 1956: Section 107 of H. R. 12130, 84th Congress, 2d session, Mutual Security Appropriation Act, 1957, as reported by the Senate Appropriations Committee.

The conclusion of this report on House Concurrent Resolution 265 states concisely:

The members of the Communist regime in China are exerting continuous effort to gain admission into the United Nations and its specialized agencies as representatives of

China. At a time when these efforts are being intensified by the Communist bloc and supported by some others it is particularly important to restate and reemphasize the overwhelming sentiment of the United States as expressed by its people, by its Congress, and by its President.

History has some vivid examples of grave consequences flowing from actions taken by governments which misjudged American opinion on a given issue. It would be tragic if anyone abroad failed to understand how deep and determined is the feeling of the American people on the issue involved in this resolution. By the very nature of their office, Members of Congress know and reflect accurately the views and deep feelings of the American people whom they represent. That is what gives extraordinary significance to the repeated unanimous votes of the Congress against the admission of Communist China to the United Nations. Anyone who might be inclined to support the admission of the Communist regime in China into the United Nations as the representative of China should seriously weigh in advance the loss to the United Nations which would result from this disregard of the principles of the United Nations and of United States public opinion which to date has so fully supported the United Nations.

The adoption of this resolution will serve notice to all that the admission of the Communist regime to membership in the United Nations or any of its specialized agencies as a representative of China will be regarded as a serious matter by our Nation. At the same time, its adoption will reassure the peoples and governments of the free world that the United States position on this question is firm and resolute.

Mr. JUDD. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY of New York. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, I am grateful to the gentlewoman from New York for having taken the lead in bringing this resolution to the floor. I trust the world will give it attention.

Some people may say, "Why should we declare our opposition to admission of Communist China into the United Nations again, when we have done it so many times before?"

Well, everybody knows that all the Communist forces in the world, assisted now by some of our friends, are maneuvering to get the United States into a sort of squeeze play, if they can. After the elections are held, and the United Nations Assembly has convened when the Congress is not in session, attempts apparently will be made to admit Communist China into the United Nations. Then when we come back in January, we would be presented with a fait accompli that would be difficult to deal with. It must be our policy to head off any such movement which could have some very bad consequences. Our committee felt unanimously that we ought to make clear right now to the whole world the determination of the people of America and their representatives on this issue. Some governments abroad, listening only to their representatives here, who in turn hear only the gossip in Washington or New York, or read supposedly sophisticated columnists, may think, "Well, the United States cannot be too serious on this matter. The American people will come along."

But, Mr. Speaker, history has a good many tragic examples of people—like the Kaiser, Hitler, the Japanese imperialists, the Communists in Korea—who disastrously misjudged the temper and the resolution of the American public. Historians generally agree that none of these would have done what they did if they had realized in advance how strong and determined would be the reaction of the United States. Because the American people are long suffering and try to the last minute to avoid any trouble, gives some the impression we can be pushed around indefinitely. The Congress owes it to the world to announce once more to any countries anywhere that may be inclined to think that American public opinion is soft on this issue, that they ought to stop and ask themselves carefully:

Which do they think it more important and valuable to themselves and to the United Nations to have on their side, Communist China or the United States? They may not be able to have both.

Mr. Speaker, one occasionally hears, especially from abroad, various arguments brought up in favor of recognition or admission into the United Nations of a Communist regime in China which, instead of helping the U. N. put down an aggression in Korea, joined in the aggression against the U. N.—a regime which brazenly defies all the decencies of civilized international intercourse, cynically breaks its pledged word whenever expedient, and accuses the United States of the crimes in Asia of which it itself has been solemnly judged guilty by the United Nations.

I wish all would read the committee report on this resolution, which assembles the facts and arguments presented in the reports on 5 similar resolutions during the last 5½ years. May I give the answers to some of the arguments that at first glance might seem plausible?

It is said that Communist China should be admitted because the U. N. ought to have all existing governments in it, ought to have universal membership. No; the charter makes perfectly clear that was never the intent of the U. N. Maybe there ought to be a universal organization, but that cannot be the U. N. unless its charter is drastically amended. Why do not the advocates for Red China openly advocate such amendment, instead of cynical violation of the charter?

The U. N. was limited to peace-loving nations. Article IV sets up criteria and procedure for determining eligibility, how nations are to be admitted, and how they are to be suspended or expelled if they violate the charter. To admit the Communist China regime would only make it immediately eligible for expulsion.

Someone will protest, "But the Soviet Union is in the U. N.—what is the difference? We should either admit Red China or kick the Soviet Union out." There are three quick answers:

First, two wrongs do not make a right.

Second, the Soviet Union got in on the ground floor when it was pretending to be peace-loving, democratic, willing to cooperate for peace in international affairs. The Reds of China do not even pretend. There is no excuse for making a mistake in their case.

Third, it is idle to talk about expelling the Soviets because they are one of the big five and can veto their expulsion. If Communist China were to be admitted, it would not be possible to expel her either. Russia would veto that too.

It is said, "Well, Communist China is a fact. We must be realistic." The answer is that it is just because Red China is indeed such a powerful and dangerous fact that the regime must not be admitted. To do so would make it even more powerful and more dangerous. If anything is realistic, it is the fact that the Communist regime in China is dedicated to the isolation and destruction of the United States.

Gangsters are a fact in some of our big cities. We do not argue, in the name of realism, that, therefore the FBI should take the gangsters in. Realism demands that the gangsters be kept out of the forces responsible for maintaining law and order.

It is said that since the Chinese are the most numerous people on the globe, they are entitled and ought to have representation in the U. N.

Certainly, but the Peking Government does not represent the Chinese people. It represents the Kremlin. When a person becomes a Communist, he ceases to be a Chinese patriot, or a French patriot, on an American patriot. He is a world revolutionist. Let the Chinese people choose their representatives in free elections.

There are many more arguments as superficial and as easily refuted as the above. But I must not take time here and now to list and answer them. In summary let me ask three questions.

First. Would admission of Communist China to the U. N. make it weaker or stronger? The answer is obvious. Why else would every Red regime sympathizer in the world be moving heaven and earth all these years to get Red China admitted?

Second. Would admission decrease or increase Red China's influence with its neighbors in Asia—Japan, Southeast Asia, India—and the neutrals everywhere? The answer is obvious.

Third. Would admission make Red China a lesser or a greater danger to ourselves and to genuine peace in the world? The answer is obvious.

To build up an avowed enemy, as admission into the U. N. would undeniably do, could only be described as an act bordering on madness. It must not happen.

Mr. MORANO. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY of New York. I yield.

Mr. MORANO. First of all, I want to say I am happy that the gentlewoman has brought up this resolution this morning. But, I want to say I have heard a report, which I hope is true, that Great Britain has decided not to press for the resolution to admit Communist China into the United Nations.

GENERAL LEAVE TO EXTEND

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the resolution.

Mrs. KELLY of New York. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 391, nays 0, not voting 41, as follows:

[Roll No. 103]

YEAS—391

Abbitt	Curtis, Mass.	Hinshaw
Abernethy	Curtis, Mo.	Hoeven
Adair	Dague	Hoffman, Mich.
Addonizio	Davidson	Holifield
Albert	Davis, Ga.	Holland
Alexander	Davis, Tenn.	Holmes
Alger	Dawson, Ill.	Holt
Allen, Calif.	Dawson, Utah	Holtzman
Allen, Ill.	Deane	Hope
Andersen, H. Carl	Delaney	Horan
	Dempsey	Hosmer
Andresen, August H.	Denton	Huddleston
	Derounian	Hull
Andrews	Devereux	Hyde
Anfuso	Dies	Ikard
Arends	Diggs	Jackson
Ashley	Dingell	James
Ashmore	Dixon	Jarman
Aspinall	Dodd	Jenkins
Auchincloss	Dollinger	Jennings
Avery	Dolliver	Jensen
Ayres	Dondero	Johansen
Baker	Donohue	Johnson, Calif.
Baldwin	Dorn, N. Y.	Johnson, Wis.
Barden	Dorn, S. C.	Jonas
Barrett	Dowdy	Jones, Ala.
Bass, N. H.	Doyle	Jones, Mo.
Bates	Durham	Jones, N. C.
Baumhart	Edmondson	Judd
Beamer	Elliott	Karsten
Becker	Ellsworth	Kean
Bennett, Fla.	Engle	Kearney
Bennett, Mich.	Evins	Kearns
Berry	Fallon	Keating
Betts	Fascell	Kee
Blatnik	Feighan	Kelly, N. Y.
Boggs	Fenton	Keogh
Boland	Fernandez	Kilburn
Bolling	Fino	Kilday
Bolton, Frances P.	Fisher	Kilgore
	Fjare	King, Calif.
Bolton, Oliver P.	Flood	King, Pa.
	Flynt	Kirwan
Bonner	Fogarty	Klein
Bosch	Forand	Kluczynski
Bow	Ford	Knox
Bowler	Forrester	Knutson
Boykin	Fountain	Krueger
Boyle	Frazier	Laird
Bray	Frelinghuysen	Landrum
Brooks, La.	Friedel	Lanham
Brown, Ga.	Fulton	Lankford
Brown, Ohio	Garmatz	Latham
Brownson	Gary	LeCompte
Broyhill	Gentry	Lesinski
Buckley	George	Lipscomb
Budge	Grant	Long
Burdick	Gray	Lovre
Burnside	Green, Oreg.	McCarthy
Bush	Green, Pa.	McConnell
Byrd	Gregory	McCormack
Byrne, Pa.	Griffiths	McCulloch
Byrnes, Wis.	Gross	McDonough
Canfield	Gubser	McGregor
Cannon	Gwinn	McIntire
Carlyle	Hagen	McMillan
Carrigg	Hale	McVey
Cederberg	Haley	Macdonald
Celler	Halleck	Machrowicz
Chase	Hand	Mack, Ill.
Chelf	Harden	Mack, Wash.
Chenoweth	Hardy	Madden
Chiperfield	Harris	Magnuson
Chudoff	Harrison, Nebr.	Mahon
Church	Harrison, Va.	Mailliard
Clark	Harvey	Marshall
Clevenger	Hays, Ark.	Martin
Colmer	Hays, Ohio	Mason
Cooley	Hayworth	Matthews
Coon	Healey	Meader
Cooper	Henderson	Merrow
Corbett	Herlong	Metcalf
Coudert	Heselton	Miller, Calif.
Cramer	Hess	Miller, Md.
Cretella	Hiestand	Miller, Nebr.
Crumpacker	Hill	Miller, N. Y.
Cunningham	Hillings	Mills
Minshall	Riehlman	Teague, Calif.
Morano	Riley	Teague, Tex.
Morrison	Rivers	Thomas
Moss	Roberts	Thompson, Mich.
Moulder	Robeson, Va.	
Multer	Robsion, Ky.	Thompson, N. J.
Mumma	Rodino	Thompson, Tex.
Murray, Ill.	Rogers, Colo.	Thomson, Wyo.
Murray, Tenn.	Rogers, Fla.	Tollefson
Natcher	Rogers, Mass.	Trimble
Nicholson	Rogers, Tex.	Tuck
Norblad	Rooney	Tumulty
Norrell	Roosevelt	Udall
O'Brien, Ill.	Rutherford	Utt
O'Brien, N. Y.	Sadlak	Vanik
O'Hara, Ill.	St. George	Van Pelt
O'Konski	Saylor	Van Zandt
O'Neill	Schenck	Velde
Osmers	Schwengel	Vinson
Ostertag	Scott	Vorys
Patterson	Scrivner	Vursell
Pelly	Seely-Brown	Wainwright
Perkins	Selden	Watts
Pfost	Sheehan	Weaver
Philbin	Shelley	Westland
Phillips	Sheppard	Wharton
Pilcher	Short	Whitten
Pillion	Shuford	Widnall
Poage	Sikes	Wier
Poff	Siler	Wigglesworth
Powell	Simpson, Ill.	Williams, Miss.
Preston	Simpson, Pa.	Williams, N. J.
Price	Sisk	Williams, N. Y.
Quigley	Smith, Kans.	Willis
Rabaut	Smith, Miss.	Wilson, Calif.
Radwan	Smith, Va.	Wilson, Ind.
Rains	Smith, Wis.	Winstead
Ray	Spence	Withrow
Reece, Tenn.	Springer	Wolcott
Reed, N. Y.	Staggers	Wolverton
Rees, Kans.	Steed	Wright
Reuss	Sullivan	Yates
Rhodes, Ariz.	Taber	Younger
Rhodes, Pa.	Talle	Zablocki
Richards	Taylor	Zelenko

NOT VOTING—41

Bailey	Eberharter	Passman
Bass, Tenn.	Gamble	Patman
Belcher	Gathings	Polk
Bell	Gavin	Priest
Bentley	Gordon	Prouty
Blitch	Hébert	Scherer
Brooks, Tex.	Hoffman, Ill.	Scudder
Burleson	Kelley, Pa.	Sieminski
Carnahan	Lane	Thompson, La.
Chatham	McDowell	Thornberry
Christopher	Mollohan	Walter
Cole	Morgan	Wickersham
Davis, Wis.	Nelson	Young
Donovan	O'Hara, Minn.	

So the concurrent resolution was agreed to.

The Clerk announced the following pairs:

Mr. Brooks of Texas with Mr. Scherer.

Mr. Patman with Mr. Cole.

Mr. Bell with Mr. Gavin.

Mr. Thornberry with Mr. O'Hara of Minnesota.

Mr. Hébert with Mr. Prouty.

Mr. Thompson of Louisiana with Mr. Belcher.

Mr. Carnahan with Mr. Hoffman of Illinois.

Mr. Burleson with Mr. Gamble.

Mr. Bailey with Mr. Davis of Wisconsin.

Mr. Mollohan with Mr. Nelson.

Mr. Gordon with Mr. Scudder.

Mr. Gathings with Mr. Young.

Mr. Wickersham with Mr. Bentley.

The result of the vote was announced as above recorded.

SUPPLEMENTAL APPROPRIATION BILL, FISCAL YEAR 1957

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON, MAHON, SHEPPARD, THOMAS, KIRWAN, NORRELL, WHITTEN, ANDREWS, ROONEY, GARY, FOGARTY, SIKES, PRESTON, RABAUT, TABER, WIGGLESWORTH, JENSEN, H. CARL ANDERSEN, HORAN, CANFIELD, FENTON, PHILLIPS, SCRIVNER, COUDERT, CLEVENGER, WILSON of Indiana, and FORD.

IMPROVING GOVERNMENTAL BUDGETING AND ACCOUNTING METHODS AND PROCEDURES

Mr. DAWSON of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. DAWSON of Illinois, Mr. JONES of Alabama, Mr. KILGORE, Mr. FASCELL, Mrs. HARDEN, Mr. BROWN of Ohio, and Mr. LIPSCOMB.

CONSTRUCTION OF FACILITIES FOR RESEARCH IN CRIPPLING AND KILLING DISEASES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HARRIS, CARLYLE, ROBERTS, DIES, WOLVERTON, HINSHAW, and HESELTON.

CHAMBER OF COMMERCE OF ROLLA, MO.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7723) to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 4, insert:

"SEC. 2. The conveyance authorized by this act shall provide that in the event that the lands cease to be used for public purposes all right, title, and interest therein shall immediately revert to and revest in the United States."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON AGRICULTURE

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file reports on the following bills: S. 2216, S. 1079, S. 4058, H. R. 5275, and H. R. 11950.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ELKINS, W. VA.

Mr. CELLER submitted a conference report and statement on the bill (S. 2182) for the relief of the city of Elkins, W. Va.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that the House Committee on Interior and Insular Affairs may have until midnight tonight to file reports on several bills favorably reported to the House today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DO NOT PERMIT OUR NATIONAL BANKING SYSTEM TO BE DESTROYED

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, a bill, S. 256, is presently being considered by the House Banking and Currency Committee. No counterpart of that bill was ever introduced in the House. It passed the Senate in June of 1955.

In the dying days of this session it is called up for hearing before the House Banking and Currency Committee where a determined effort will be made to report it out and then to pass it on the floor.

It is a very short bill and would appear to be quite innocuous. Actually, the purpose and intent of the bill is to prevent minority representation of stockholders on national bank boards of directors. The enactment of the bill of and in itself, without any further action, would destroy such right of minority representation by stockholders. It could well mark the destruction of our national banking system.

I take this means of alerting the membership of the House to the fact that this is a bad bill, and it should not be rushed through in the dying days of this session of Congress. If there is anything good about the bill it can wait for enactment until next year when it can be fully and thoroughly debated and its merits or demerits exposed.

If majority stockholders and directors need any protection against minorities within their banking institutions, they should frankly come forward and make out a case. I know that the Congress will not hesitate to give them the fullest protection that they may need. They do not need this bill and it is against their own best interests.

EXPLANATION OF VOTE

Mr. GAVIN. Mr. Speaker, I was unavoidably detained during the rollcall on House Resolution 265, rollcall No. 103, against the admission of Red China to the United Nations. Of course I have vigorously opposed the admission of Red China in the past, that my position hardly needs reiteration by me.

Let me again make it crystal clear that I am vigorously against the admission of these nefarious Reds to the society of free nations, and will continue militantly to resist all such proposals. Had I been present, I would have voted "yea."

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY (when the Committee on Agriculture was called). Mr. Speaker, I call up the bill (H. R. 11708) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the State of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 11708, with Mr. PRESTON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the general debate will be limited to 2 hours.

Mr. HOPE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOPE. I would like to inquire of the Chair how much time is allowed for general debate.

The CHAIRMAN. The Chair was about to state that the time will be equally divided between the gentleman from North Carolina and the gentleman from Kansas; each will have 1 hour.

Mr. COOLEY. Mr. Chairman, I yield myself 15 minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. COOLEY. Mr. Chairman, this bill is of great importance. I think the purpose of the bill is very well understood, but I do want to make a few brief remarks concerning its provisions. I know you will recall that we first authorized the expenditure of $750 million in section 48 to be used for the purpose of disposing of surplus agricultural commodities. Very soon the $750 million had been obligated and used, and at a later date we increased that authorization from $750 million to $1,500,000,000. That authorization has now been reached and exceeded, and the Department is without authority to proceed further and to consummate many important transactions which are now pending.

In this bill we increase the authorization from $1,500,000,000 to $3 billion. My recollection is that there was no objection to this section of the bill in the committee, and I hope and assume there will be no objection to this particular section of the bill here in the House today.

In addition to that increase in authorization we put in another provision which authorizes barter transactions with the satellite nations, but it excludes barter transactions wih Russia, with Red China, and North Korea.

In bringing this provision before the House I think I should tell the House that when the President, in his message of January 9, listed the repeal of section 304 as one of the nine points in his agricultural program, our committee was not particularly impressed with that recommendation, because it was too broad and comprehensive and we figured perhaps too dangerous.

At a later date we did decide to modify the section so as to authorize barter transactions with satellite nations. We had a communication from the Secretary of Agriculture favoring the President's recommendation for an outright repeal of the section, and I am certain the Department of Agriculture is in favor of the provision now written into the bill.

We then had Secretary of State Dulles testify in executive session. At that meeting he urged the approval of the section that we now have in the bill.

At my request Mr. Dulles wrote a letter to me, which appears in the report, in which he points out the desirability of having this authority which is contained in this section.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Connecticut.

Mr. DODD. I would like to ask this question: As I understand the gentleman, this bill which is before us will permit the Secretary to barter agricultural commodities with satellite nations.

Mr. COOLEY. That is right.

Mr. DODD. But does the gentleman think this is wise in view of the world situation? Would it not be far better for us to give them these commodities so they could be distributed among the people by the International Red Cross or some such organization, so that those who need this food would get it and know it comes from the free world? It seems ridiculous to be entering into trade with the satellite nations, particularly at this time.

Mr. COOLEY. The reason that the President's recommendation for the repeal of this section did not appeal to me was the fact that I am not in accord with the suggestion for the reason that it is not the policy of our Government, nor is it the policy of our people, to carry on commerce with communism. For that reason that suggestion was not seriously considered in our committee. The explanation offered by Mr. Dulles is in a very brief communication addressed to the chairman of the committee and appears in the report.

Under existing law the Congress has already given authority to do what the gentleman suggests might be desirable. That is, to give surplus food to the satellite people or to friendly people behind the Iron Curtain. You will recall that after the recent revolution in Poland, when the people were calling for food and freedom, our Government immediately offered to give the people of Poland food. The Polish Government refused to accept the food, saying they were not prepared to accept charity and alms at the hands of the American people.

Mr. DODD. That is precisely my point. I think we should offer to give them food but it is a mistake, I suggest, to barter or trade with them so they will have food and make it appear they are successfully operating their economy in these captive countries and make profit at our expense.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 5 additional minutes.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. JUDD. I have read very carefully the letter on page 10 of the committee report from the Secretary of State in which he says:

> The suggestions we make do not relate to trade with the Soviet Union itself nor do they relate to the establishment of a normal pattern of trade with the Soviet satellites which might serve either to strengthen the war potential of the Soviet bloc or to entrench the present order in relation to the satellite countries.

That would be a good trick if one could figure out how it can be done. Maybe the Secretary of State explained what he had in mind to the committee. But I should like to ask the gentleman these questions. How can you carry on barter with Poland, for example, except through the Government of Poland? And if the Polish people get food through the existing Communist government, does that not strengthen that government?

Mr. COOLEY. May I say to the gentleman I do not like the idea, either, but in executive session there was a discussion of this important subject behind closed doors. It is for that reason I asked the Secretary to put that statement in writing so that the Members of the House would clearly know it was not contemplated we would carry on commerce with communism or that we would do anything to strengthen the war potential of either the satellites or the Soviet Republic.

Mr. JUDD. I realize the gentleman is now in the position that we so often are in when we come before the House from the Committee on Foreign Affairs. We have been given an explanation in private that convinces us, but we cannot reveal it publicly to the House. Was the gentleman convinced by the explanation given to his committee in executive session that there are means and methods by which we can carry on the barter that would get food into Poland and yet would not strengthen the existing government?

Mr. COOLEY. I think we must know that once food is delivered to Poland we will, to all practical purposes, lose complete control over final disposition and consumption of that food. It is anticipated or contemplated that in the exchange for these vital foods, which we understand there is great need for now in Poland, we are to receive something of strategic importance to us. Frankly I say to the gentleman, I do not anticipat that much trading will be done. In the first place, Poland says her people are not hungry. The free world knows that statement is not true. People do not revolt and say they want food and freedom, then stand before firing squads to be shot to death or murdered unless there is some truth in the assertion that there is a vital need for food. We can offer to meet the Polish proposal. The Poles say: "We are ready to barter with you. We do not want your charity." Here is the answer to it: "Yes; we will barter with you if it is necessary to get the food in the mouths of the hungry people of Poland."

Mr. JUDD. And once more we would be demonstrating to the whole world that whatever the Communists lay down as the terms, Uncle Sam agrees to. They call the tune; we dance to it. Why should we not, rather, let the Communists stand exposed before the world as the diabolically cruel men they are, preferring to let their own people die rather than receive food from the people of the United States?

Are we against these Communist despots or are we for them? We denounce them, then we help them solve their food problems. How can other countries, looking to us for steadfast leadership, know what to count on?

Mr. COOLEY. I might ask the gentleman the same question. Why should this great republic of ours, with our warehouses bulging with vital food that will sustain life, refuse to barter with these people in Poland and save the lives of hungry people who are now being sent before the firing squad?

Mr. JUDD. What makes you believe any of it will go to the hungry people? Or, at least, unless the people abandon their resistance?

The same thing was true when we sent food into Yugoslavia under Tito. In order to get food the people had to sign up with his agents, join the party, or if they did not, they starved.

Mr. COOLEY. I do not know that it will go to the hungry people, but I do know that the Federal Government, with all this vital food, can at least meet the terms, and we could probably offer them such good barter transactions that Russia would refuse to permit them to be consummated, and then the hungry can blame the Communist regime for refusing the food we offer to them.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. RABAUT. When we gave wheat to Yugoslavia, when they were so badly in need of food, we designated at that time Americans who would supervise the distribution of that food. If you have no supervision over the distribution of this food, you or no one else knows that the food will get to the proper place; that those in need are ever going to get it. It might be put in their warehouses and bolster their economy to the further detriment of the very people we are trying to feed. I am favorable to your idea that we want to help them. That is fine, but we have no assurance that we are going to help them.

Mr. COOLEY. Let me call my friend's attention to the fact that we are not giving them the vital food. We are bartering it with them, and when they give us some of these strategic materials that we will call upon them to give us, we will strengthen our own war potential and we will weaken theirs to that extent. I certainly do not want to carry on any commerce with communism any more than does the gentleman from Michigan.

Mr. RABAUT. I am not trying to embarrass my friend.

Mr. COOLEY. I understand.

Mr. RABAUT. I know he is trying to do a job, but I am saying what we did with Yugoslavia. We insisted that we supervise the distribution of that food.

Mr. COOLEY. Do not bring up Yugoslavia, because I can argue with the gentleman for 2 days about that. We have not exacted one promise from Mr. Tito, and that is the reason I am against giving him money.

Mr. RABAUT. I am talking about the time we distributed food there. We do know that Americans supervised the distribution of that food.

Mr. COOLEY. Maybe in negotiating these barter transactions a provision will be inserted in the document which will require Government supervision to the ultimate consumer.

Mr. RABAUT. It was not Tito we gave it to, but to the hungry people.

Mr. COOLEY. We are now giving food to the escapees and refugees from East Germany. We do not want to cut them off.

Mr. RABAUT. Would they agree to supervision?

Mr. COOLEY. I do not know, but I know that the State Department will supervise the agreement and certainly put that in the contract as one of the provisions.

Mr. RABAUT. It looks as if we are giving up to their dictation.

Mr. COOLEY. Suppose you visualize the hungry Poles who say "You promised you would give it to us, but your fascist government would not permit us to accept it, because you refused to barter with us."

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. If we follow the advice or the policy of the gentleman from Minnesota, as just suggested, then are we not being put in a position of causing these people to starve to death instead of the Communists?

Mr. COOLEY. That is what I am afraid the interpretation will be over there. Let me say this to my friend from Minnesota. Why is it more vicious to barter with them and get something in exchange and put it into our own arsenal here than to give it to them? The gentleman is perfectly willing to give it to them.

Mr. JUDD. Certainly, I would give it to them when it is distributed by the Red Cross, for example, and goes to the people. But I would not give it if it meant giving it to the Communist government to distribute as a weapon in breaking the will of the people. They are proving that freedom is more important to them than food. People who are revolting to gain their freedom will be tempted to ask, "What is the use of our revolting against a government which the great powerful United States recognizes, deals with as an equal, and builds up?"

Once we announce we are willing to barter with the governments, we are giving them enormous prestige and strengthening them.

Well, do we want to win this cold war, or do we want to lose it?

Mr. COOLEY. I do not want to emphasize the President's views, and I do not want to emphasize unduly the views of the Secretary of State. I remind the gentleman of the fact that his President, Mr. Eisenhower, on January 9, in a message read from this rostrum advocated the outright repeal of the provision, and his Secretary of Agriculture and his Secretary of State urged the adoption of this provision.

Mr. JUDD. I will say on that point that when Mr. Acheson was Secretary of State, he advocated a similiar proposal with respect to Yugoslavia and other satellites. As a matter of principle I resisted it then under his leadership; and as a matter of principle I must resist it equally under the present leadership of my own party. Because I believe the net result will be that you will not get food to the people who need it, but instead you will greatly enhance the influence and power of the government that is oppressing the people. That was what happened then, as we feared. Will it not be certain to happen now?

Mr. COOLEY. Why not let us try one barter transaction? I am willing, and the Democrats are willing, to trust your own Cabinet officers to negotiate these contracts. Why not let us try one barter transaction and then see whether or not the food goes to the people who are in need?

Mr. JUDD. It is not a matter of trusting one administration or another. The real issue for us is what we do right here in the House of Representatives today, not what our officials do after awhile. The passage of this bill would recognize and give respectability to the tyrants whom we are trying with our whole mutual security program to overthrow. It is not what the administration may be able to do or not able to do after we pass this bill. It is the passage of this bill which would do the damage.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. On page 9 of this report, in the committee's explanation of section 304 it says:

> The section has also been interpreted to prohibit barter of surplus commodities with any such countries and even cash sales for dollars at the world price, although neither barter nor cash sales depend upon this act for their basic authority, and although it is by no means clear that such was the intent of Congress when the law was enacted.

Can the gentleman explain to me what basic authority and what public law gives the Secretary of Agriculture or the Secretary of State the right at this moment without this bill to barter with the satellite nations? And if that be the case, why need this new section in the law?

Mr. COOLEY. Mr. Chairman, may I say to my friend that the barter authority is in the law, in section 480, except with regard to the Soviets and their satellites.

Mrs. KELLY of New York. That is just the point. I want to assist the people of the satellite nations but I do not want to assist the Communist regime which keeps them in slavery.

Mr. COOLEY. This would modify or change that provision so as to permit barter transaction with the satellites but preclude barter transactions with Soviet Russia, North Korea, and Red China.

Mrs. KELLY of New York. Mr. Chairman, it was my amendment to the original law, Public Law 480, concerning friendly nations which I had in mind; and in that basic law in section 107, on page 3 it says:

> As used in this act "friendly nations" means any country other than (1) the U. S. S. R. or (2) any nation or area dominated or controlled by a foreign government or foreign organizations controlled by the world Communist movement.

That was to prevent the sale or barter to satellite nations. This is clear.

The gentleman must be referring to some other law.

Mr. COOLEY. No, it does mean that; that is the prohibition that is being modified by this provision in the bill.

Mrs. KELLY of New York. Then why was that written into the report—"although neither barter nor cash sales depend upon this act"?

Mr. COOLEY. I shall answer that by saying that this does not authorize cash sales to the satellites. It does not authorize sales to the satellites for foreign currencies. It only authorizes barter transactions for strategic materials. We can sell to all the other countries in the world for foreign currencies. We can sell for dollars. We can give away the surplus commodities. Under existing law we can do the same thing with all the countries of the world, as I have just enumerated, except with the satellites and the Soviets.

Mrs. KELLY of New York. This amendment to section 304, and I might add it is very poorly written—permits barter with the Communist regime. There is no guaranty that the agricultural surplus would reach the people of those countries.

Mr. COOLEY. I agree with the lady; the language is very awkward.

Mrs. KELLY of New York. The language is not understandable. May I ask the gentleman, was that the language of the administration?

Mr. COOLEY. I think the language was prepared by the Department of State at our request.

Mrs. KELLY of New York. I want to go on record as saying that it was certainly written to confuse and not to state the real facts, because it could have been written very clearly, that we can barter with the satellite nations, instead of this confusing language.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. May I ask in connection with the question which has been asked the gentleman so frequently as to how we would know that this food would go to hungry people. Who, other than hungry people, no matter where they may be in the world, no matter what their economic status may be, ever eats food?

Mr. COOLEY. I assume if they were hungry and if they had an opportunity to have this food they would eat it.

Mr. POAGE. Is it not perfectly obvious that if you were selling lumber, washing machines, or radios, that would not be true, but when you sell food none but hungry people are ever going to eat it?

Mr. COOLEY. I think the gentleman is correct, but the gentleman from Minnesota is fearful the food will be placed in a warehouse and not be made available to the hungry people.

Mr. JUDD. Of course, it will be put in the warehouses or distributed to the faithful, and the hungry people will not get it unless they bow down and give their allegiance to the Communists.

Mr. COOLEY. Suppose the hungry people of Poland are crying for food, and there is no food? Suppose we fill up the warehouses, and they know it is there? They will probably tear down the warehouses and go in and get the food.

Mr. JUDD. I am afraid the gentleman is not very familiar with life under a Communist police state.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Missouri.

Mr. SHORT. I am sure the able gentleman from North Carolina does not want to sharpen the razor of any potential enemy to cut our own throat. He is performing yeoman service here. I think his heart is in this thing about as much as mine is. But the whole trouble is, as the gentleman from Minnesota has distinctly pointed out, that so much of this relief and foreign aid has gone down the drain and fallen into the hands of governments, not the people, but governments, to distribute to their own advantage. The people themselves do not know where it is coming from.

Mr. COOLEY. May I say to my friend that if we feel that way about it we should repeal the authority to give this food to the hungry people. The only thing we are talking about here is whether we are going to give it to them.

Mr. SHORT. Who gives it? Do we give it to the hungry people, or do we give it to the governments, and they distribute it to their own advantage?

Mr. COOLEY. It all depends on the American people.

Mr. SHORT. How many people in Poland or any other country in Europe know where it comes from?

Mr. COOLEY. I do not know about that.

Mr. SHORT. We sent thousands of tons of wheat to India, and you know what we have gotten in gratitude.

Mr. POAGE. If the gentleman will yield further, regardless of the question of whether we ever make a trade or not, this bill would give us the authority at least to seek to negotiate agreements. If, for instance, we find, as seems to be the case, that there is a need for food in Poland today, we can under the terms of this bill offer to provide Poland with a certain quantity of wheat, with a certain quantity of meat, with a certain quantity of fats, in return for wood pulp or other commodities they have that we need. We can offer that and advertise that all over the world, that we are offering that to help the people of Poland. The Polish Government then is placed in this position: They either have to accept the American offer, and everybody in the world then, including the people of Poland, will know that we have done it, or they have to reject the American offer, in which event the people of Poland and all the rest of the world will know that the Communists are willing to see their people starve rather than deal with the American Government. That is what this bill is seeking to do. It is not a matter of advertising it after you have done it, it is a matter of making your offer known to the rest of the world.

Mr. COOLEY. I agree with the observation of the gentleman.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. SHORT. The fact is that we have already offered to give them food.

Mr. COOLEY. That is right.

Mr. SHORT. They have refused it. There is a bug under the chip. They want to negotiate and the minute you start trading, you give a semi-recognition to the Government. Oh, do not let that camel get his nose under the tent.

Mr. COOLEY. You say my heart is not in it. I am perfectly willing to admit it.

Mr. SHORT. I am so pleased and grateful to see the gentleman stand up and defend this administration.

Mr. COOLEY. I am not doing that.

Mr. SHORT. I will love you forever.

Mr. COOLEY. The gentleman misunderstood my suggestion. I told you that I wanted no part of your President's recommendation on January 9 that we carry on commerce with communism.

Mr. SHORT. What are you doing when you pass this?

Mr. COOLEY. He recommended it.

Mr. SHORT. I do not care who recommended it.

Mr. COOLEY. Dulles recommended it.

Mr. SHORT. I do not care who recommended it.

Mr. COOLEY. Neither do I.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. GROSS. This bill might be more acceptable if you had provided in the bill that the Poles could not ship 22 million pounds of canned pork products alone into this country each year. Why are you talking about the hungry people of Poland? Why does not the Polish Government keep their hams that they are shipping into this country to compete with American agriculture?

Mr. COOLEY. Does the gentleman mean to say that under this Republican administration we are carrying on commerce with Communist Poland?

Mr. GROSS. The gentleman knows that we have been doing that for years under both Truman and Eisenhower. Why do you not shut that off?

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. JUDD. I would just like to ask the gentleman's interpretation of the language on page 2 on lines 8, 9 and 10 beginning with the parenthesis: "to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics."

Now, this is to assist friendly nations to be independent of trade with nations dominated or controlled by the Communists. What are the friendly nations that we would thereby be helping to become independent of Poland, East Germany and Hungary and Czechoslovakia as well as of the Soviet Union? Presumably those are the countries that are controlled or dominated by the Soviet Union. I do not understand what this means.

Mr. COOLEY. That is the same complaint that the lovely lady from New York had a moment ago when she called attention to the fact that this language is awkward, and I agree that it is awkward.

Mr. JUDD. Then, also, the second part: "to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations."

Now you seem to be saying in this that Poland, which is under Communist domination, is a friendly nation because otherwise you would not have to decree in the second half that nothing must go to an unfriendly nation. Yet these Communist-dominated nations I had assumed were considered unfriendly. But, then in the first part, you are authorizing barter with these nations. Are they friendly or are they unfriendly?

Mr. COOLEY. We have already authorized giving away.

Mr. JUDD. I am not talking about giving, I am talking about barter. This has to do with barter. Does not this language thereby define these satellite countries as friendly nations?

Mr. COOLEY. I do not think so.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. ZABLOCKI. The gentleman from North Carolina is a recognized authority on agricultural problems of the United States, and I am sure it is known that he is a student of agricultural production internationally. There are, I think, two basic questions which I would like to ask. Is it not true that Poland historically was an agricultural export nation; is that not true?

Mr. COOLEY. Sure. So is Yugoslavia.

Mr. ZABLOCKI. Is it not true, sir, that there was no drought or flood which would ruin the crops? What has caused the shortage?

Mr. COOLEY. I can tell you what I think has caused the shortage, but I do not have time to do so. I think the same situation exists in Poland as exists in all the Communist countries.

Mr. ZABLOCKI. Was it not an expression against the regime in Poland and the Communist-dominated Government of Poland that food was not produced?

Mr. COOLEY. That is right. The system now used in agriculture in those nations, and the same situation exists now in Yugoslavia where the farmers refuse to produce and turn their products over to the Government.

Mr. ZABLOCKI. If we are going to send our surplus commodities to that government, are we not telling the people of Poland that although they are oppressed; that we will deal with the oppressor?

Mr. COOLEY. The former Secretary of Agriculture said when he left office that the system had failed. When they have to admit that their agricultural machinery has bogged down and they are unable to produce enough food for their own people, that must be so.

Mr. ZABLOCKI. We are all kindly and humanitarian, but I am sure this provision in the legislation will not provide food to the people in the Communist-dominated nations.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. COOLEY] has again expired.

Mr. COOLEY. Mr. Chairman, I yield myself 4 additional minutes.

I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. To get back to the distribution of surplus food to friendly nations, since we are giving this food away, although we get paid in foreign currency and, according to the President's message of July 11, nearly all of this money is given back to the countries which pay it or else it goes to them for development in their own countries, in any event, since we are giving it away and paying even for the transportation on it as well, can we not afford to distribute more of this surplus food to our own needy? In other words, can we not devise a practical method for getting some of this food to people on public assistance?

Mr. COOLEY. I want to compliment and commend my friend for her great interest in the subject we are now mentioning. I do not know of any Member of this House who has shown greater interest in the matter which you are now discussing. As a result of your own great interest, the conferees placed a provision in the recent farm bill calling upon the Department of Agriculture to study the problem and to submit an appropriate stamp plan or some other distribution program to take care of our own needy people in this country.

Mrs. SULLIVAN. I know the gentleman has been very cooperative, but I was wondering if any effort is being made to get that report through before we adjourn.

Mr. COOLEY. We have called upon the Department of Agriculture to submit that report. It was required within 60 days. I am not sure how many days remain, but we will ask for the report within a period of 60 days.

Mrs. SULLIVAN. It probably is not due until September, but I was wondering if there was some way to get it through before that.

Mr. COOLEY. I assure the gentlewoman from Missouri that I will do everything I can to expedite it.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. RICHARDS. I would like to get our feet back on the ground on this thing. Is it not a fact that we have food surpluses running out of our ears in this country, and do not other countries have strategic materials of which we are short and in need?

Mr. COOLEY. That is correct.

Mr. RICHARDS. If we provide this food, which I think we should, through barter, if there is no barter arrangement arrived at, then the world would know that we could not agree on barter.

Mr. COOLEY. I think the gentleman is entirely correct. You remember the comment that came out of Poland to the effect that Poland refused this charity because it was only American propaganda. We are giving them a little more propaganda.

Mr. RICHARDS. And is this not correct, that if we do have a barter arrangement this country gets something worthwhile for this country, and the other country gets food to relieve human suffering, and if the government of those people does not provide that food, then they are more ready for a revolution over their dictatorial powers?

Mr. COOLEY. The gentleman is correct.

Mr. RICHARDS. I think the gentleman has a sensible proposition, if people will look at it from the commonsense standpoint.

Mr. COOLEY. May I call attention to this language in Mr. Dulles' letter:

> I believe that it would be helpful if they could know, in a concrete and dramatic way of the bountiful fruits of a society of freedom, which free nations share on a normal basis.

Then one other quotation:

> The offers we have in mind would be designed to illustrate and illuminate the possibilities which normally prevail as between free nations.

That is the objective that he has in mind. Whether the House wants to approve this or not is not of much concern to me.

I have no pride in this provision. I did not believe that it was a thing that should be done, but I am perfectly willing for the House to work its own will.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. DODD. There has been considerable comment here to the effect that in this proposed barter of food the people of Poland and people of the other captive nations would know it came from us, but this is not sound reasoning, for it overlooks or ignores the fact that in these countries there is an absolutely controlled press and radio. For example, does the gentleman believe that the people of Poland know that the Red government of Poland refused UNRRA aid when we offered it? I doubt it. And the same is true of other captive peoples. Consequently I believe it is nonsense to say that we can gain a propaganda advantage by the use of bartering food for certain strategic materials.

One other question: Does not the gentleman agree that there are some people in this country who are more interested in getting rid of surplus commodities than they are in the struggle to help these captive people get their freedom?

Mr. COOLEY. No; I do not believe that. I regret the gentleman said that.

Mr. DODD. I do not regret that I said it, because I believe it very earnestly and seriously.

Mr. COOLEY. That is tantamount to an indictment of the Committee on Agriculture. It is an indictment of Mr. Dulles.

Mr. DODD. No it is not. I have the highest respect for you, your committee, and for Mr. Dulles. I am referring to certain dollar patriots and they are not always interested in good commodities. They have plagued us for years. Some of them sold scrap to Japan, they sold other vital material to our enemies at other times, they are still busy and they do not care about anything but profits.

Mr. COOLEY. That is tantamount to saying that the President of the United States, the Secretary of State, the Secretary of Agriculture, all three of them are not vitally interested in the future welfare of our public relations. Certainly they are not unduly interested in disposing of surplus commodities, and I resent the suggestion that any man on our Committee on Agriculture would put the sale of commodities ahead of our future welfare and security.

Mr. DODD. I did not make any such statement and had no such thing in mind, because I know that is not so. But I stated the truth and every informed person knows it.

Mr. COOLEY. I hope so.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. TABER. Does not the gentleman remember that when we had UNRRA, Russia took the food and relief materials and put her own label on it and pretended to be giving it to these people over there, her satellites?

Mr. COOLEY. I do not doubt that at all.

Mr. TABER. Food and material that we furnished.

Mr. COOLEY. I will say to my friend that I do not doubt that in the slightest.

Our committee has to do everything we possibly can, and the House likewise, to see to it that the ultimate recipients of these commodities know the source from which they come.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. DIES. Does this bill authorize the exchange of American surplus agricultural products for strategic war materials?

Mr. COOLEY. That is right.

Mr. DIES. May I ask the gentleman if that is not a rather serious thing? In other words, we are seeing riots in the satellite countries brought on by the inability of the Soviet Union to supply those people with food and fiber. If we supply their needs, whatever the reason may be, does not the gentleman believe we are aiding the Soviet Union in the end?

I understand there are two sides to the question: I have discussed it with people in the State Department, but it seems to me that the great weakness of the Soviet Union today is their inability to feed their people.

Mr. COOLEY. That is right.

Mr. DIES. If we step into the picture and send them food we are taking that much of a load off Russia.

Mr. COOLEY. Let me say to the gentleman that he is under more apprehension than he need be, for under the law now we can give it to them; it will not cost them a dime. They refused to take it.

This is a barter transaction in which we get a dollar's worth for every dollar's value that we give. If the gentleman's fears are well grounded then I think that the governmental departments were wrong when they offered to give these people food.

Mr. DIES. I think that was a very, very wise gesture.

Mr. COOLEY. That was not a gesture. The Poles said it was propaganda. It was not a gesture.

Mr. DIES. I understand, but they refused?

Mr. COOLEY. That is right.

Mr. DIES. They did not get it. Here is what I fear, though I am not certain, I am frank to say to the gentleman. There are two sides to this question. I have the feeling that if we will let this situation alone, cruel as it may seem, hunger and poverty will ultimately force these people to revolt throughout the satellite countries.

Mr. COOLEY. The gentleman may be right. If he is right, then we should revoke the authority we provided for the donation of food.

Mr. DIES. Of course, that is given under control.

Mr. COOLEY. No. As the gentleman from Minnesota [Mr. JUDD] pointed out a moment ago, we have no way of controlling it.

Mr. JUDD. We offered to give the food through the International Red Cross Society.

Mr. COOLEY. But the people did not know that.

Mr. DIES. This is a tremendously important question. Here is what I question: If you appear to give it to them through the Red Cross, that is an act of a Christian character. That organization is known throughout the world. But when you undertake to trade, that is quite a different proportion, it seems to me. They are under no sense of gratitude or obligation to us. They say, "We gave you something in exchange."

In other words, you are coming to the rescue of the Soviet Union because, make no mistake about it, Russia cannot feed her millions of people. That is what has happened in the satellite world and that more than the atomic bomb or anything else will ultimately defeat the Communist plan of world conquest.

Mr. COOLEY. The gentleman may be right.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Maryland.

Mr. DEVEREUX. Going back to the point that was originally brought out by the gentleman from Minnesota, the question of friendly nations. On page 2, line 9, suppose we strike out the word "nation" and insert "people" rather than "nations." Would that not make it more acceptable?

Mr. COOLEY. The people would have nothing to barter with. We can give it to the people now.

Mr. DEVEREUX. That would establish our relationship.

Mr. COOLEY. The hungry people of Poland would have no strategic materials with which to barter.

Mr. DEVEREUX. What we are trying to do is to get the food to the hungry people. We would say "friendly people." This is our objective.

Mr. COOLEY. No. If you are going to barter with someone in a Soviet country, you have to barter with the government.

Mr. DEVEREUX. The object we have is to get food to friendly people.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 additional minute.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Kansas.

Mr. HOPE. Is it not a fact that under the provisions of this bill and in the manner in which it will be handled, as we understood the Secretary of State we will simply make an offer, say to the Government of Poland or to the Government of Czechoslovakia: "We offer you this proposition." Is there any reason why that proposition cannot comprehend delivery of these goods directly to the people rather than to the Government?

Mr. COOLEY. I think the gentleman is correct. It will be up to our negotiators to say what provisions to put in the contract.

Mr. MASON. But you are negotiating with a government.

Mr. COOLEY. Yes.

Mr. HOPE. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, most of the discussion so far has taken place on section 3 of the bill. I have no disposition to avoid a discussion of section 3 of the bill, but it is certainly one of the least important provisions in the bill, in my opinion. The situation as far as our surplus-disposal program is concerned at the present time is that the Department of Agriculture has authority to sell for local currencies $1.5 billion worth of surplus commodities. At the present time they have either disposed of commodities amounting to that quantity or have contracted to do so. The result is that unless we extend the authority they cannot make any more deals to dispose of these commodities.

Now, I am informed at the present time that there are negotiations pending with a number of governments which, if carried out, would perhaps result in the disposal of $400 million or $500 million worth of additional commodities, commodities which are now stored in our warehouses, the storage of which is costing us $1 million a day, and it is obviously, it seems to me, to our advantage to extend this legislation so that this disposal program can be continued.

Mr. Chairman, I think this program has been very successful. It took a little while to get it off the ground, but during the first year we disposed of approximately half a billion dollars worth of commodities. During the past year we have disposed of about $1 billion worth of commodities; that is, on the basis of the investment of the CCC. Now, that does not mean that we made sales aggregating that much. The actual aggregate amount of the sales for the 2 years is about $1 billion, because we sold at prices lower than the investment of the CCC, as we are permitted to do under legislation which says that we do not have to follows the usual formula when we sell for export. But, unless we extend the legislation, this program will have to come to an end as soon as present contracts are fulfilled.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Texas.

Mr. DIES. Could we not accomplish that by simply striking out section 3 of this bill?

Mr. HOPE. Well, there is no question but what that could be done. As far as the point I am discussing now is concerned, certainly that could be done.

Mr. DIES. What you are arguing is that all of the rest of the bill is very much needed.

Mr. HOPE. Yes, certainly.

Mr. DIES. Well, we would not interfere with the bill by striking section 3.

Mr. HOPE. I do not want the gentleman to understand that I am in favor of striking section 3, because I am not. But that is the only controversial point in the bill, I think.

Now, there are three things that this bill does. The first one I have mentioned. The second one is to authorize the use of some of the foreign currency which has been received from the sale of surplus commodities for the support of American schools abroad, that is, schools that qualify under the so-called Smith-Mundt Act. At the present time these funds can be used to carry out projects under the Fulbright Act but not under the Smith-Mundt Act.

That brings us to the other provision which appears to be quite controversial, and I think it was to be expected that there would be controversy over that section. However, I want to point out that this is an administration proposal; that this bill came from the Department of Agriculture as a departmental bill; that it has the support of the Secretary of State, and that the administration regards section 3 of the bill as a very important part of the measure.

The testimony of the State Department before the committee was in executive session. I am not in a position to reveal what was said by the Secretary of State, but I do know that he regards this section and the provision which it contains as being of the utmost importance.

Now, the committee after considering the matter did not accept the exact provision which was contained in the bill as it came from the Department of Agriculture. That provision was simply to repeal section 304 outright. We did not feel like going that far, but essentially what we have done here is to provide that section 304 be limited to title I of the act.

I have listened attentively to the debate. I have heard the objections that have been raised by those who feel that section 304 is a dangerous provision. I can understand why anyone might want to stop and look and think at least about that provision and study fully its implications. But I do not feel that the fears of those who are concerned about section 304 are justified. It seems to me that this is not a provision which puts the control of the situation in the hands of the Communist countries as my friend, the gentleman from Minnesota [Mr. JUDD] has declared. Rather, the initiative is entirely in our hands. We can make any kind of barter offer we want. We can provide in that offer just how these commodities are to be distributed.

We can say that they shall be distributed through the Red Cross; that

they shall be distributed through church organizations; that they shall be distributed through representatives of the United States Government. We can offer to accept by way of barter any commodities that we can use in this country, strategic or nonstrategic. So the initiative is entirely in our hands. It is up to us to do what we want to do in the way of making an offer.

Let us consider what might happen if an offer were made. I would be surprised if the Government of Poland or the government of any other satellite country would accept the kind of offer that I have described, because naturally it would put them on the spot. But suppose they turned it down. And suppose this were known all over the world, suppose Radio Free Europe broadcast into Poland that we had made an offer of this kind and that it had been turned down by the Polish Government. Is there anything wrong with that? Have we lost anything by that?

Suppose the Government of Poland desired to accept an offer of this kind and suppose Soviet Russia said, "No, you cannot do that; we are not going to let you do that," and suppose word got out that that is what happened. Is that going to help the relations between Poland and Soviet Russia?

Certainly there are a great many possibilities, as I see it, in a situation of that kind. I am not saying that that is what the Secretary of State has in mind at all. But as I see it there are a great many possibilities of upsetting the relationship that now exists between Russia and the satellite countries and between the satellite countries and their people.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Connecticut.

Mr. MORANO. Mr. Chairman, the gentleman is making a very fine statement. Is it not a fact that we have diplomatic representation in most, if not all, of these satellite countries; and that if we did make an offer and it were accepted on the basis of the provisions we inserted in the agreement, our embassies could follow through to see that the agreement was properly carried out to our satisfaction?

Mr. HOPE. Certainly.

Mr. MORANO. And we would have a great advantage, then, in doing as the gentleman says, by creating some friction between the Soviet Union and the satellite countries which were trying to get food for their people.

Mr. HOPE. I agree with the gentleman entirely.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman from Kansas was discussing section 3. I think there was some misunderstanding as to paragraph (a) of section 3 of the bill. Title I of the act we are discussing here and seeking to amend applies merely to the use of counterpart funds. Subsection (a) of this amendment does not designate the satellite countries as friendly nations. The only part of that amendment that applies to barter is down here in (b) where title III is limited so that no transactions can be carried on with the Union of Soviet Socialist Republics or Communist China or North Korea. I think there was some misunderstanding in the discussion that went on before here that we were designating the satellite nations as friendly nations, which we are not doing in this legislation.

Mr. HOPE. I am glad the gentleman brought that up. That is absolutely correct. The principal purpose and effect of section 3 is that we limit the provisions of section 304 of the old act to title I of the bill. We take away the limitation that has heretofore existed as far as barter is concerned.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from West Virginia.

Mr. BURNSIDE. Is it not true that these satellite nations have to furnish the food for the Russian troops stationed in their countries? Would not this food we are sending over there actually be food for the Russian troops in those satellite countries?

Mr. HOPE. No, I do not think we would make a deal that would provide for anything of that kind. We can make any kind of offer we want to. I have enough confidence in the Secretary of State to feel that the kind of offer they would make would not be one that would result in the feeding of Russian troops in any satellite countries.

Mr. BURNSIDE. I understand they are now foraging and picking up the food for the Russian troops. Would not the easiest way be for them to take this food sent in there and just tranfer it over to the Russian troops that are stationed there?

Mr. HOPE. In my answer to the gentleman I have to repeat what I said before: We can make any kind of offer we want to and provide for supervision by United States personnel, which I certainly think would be the wise thing to do, if we did make a deal.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I was interested to hear the gentleman say he agreed with the statement of the gentleman from Connecticut that our people would have an opportunity to supervise and see that the agricultural commodities actually got to the people. Will the gentleman tell us just how they could possibly be able to do that?

Mr. HOPE. I said I thought that any offer we would make should contain a provision of that kind. As far as I know, no one objects to the provisions in title II of the old bill which state that we can give food and other surplus commodities away to the people of these countries. We have done it. We did it in East Berlin. We gave food away during the period of the Balkan flood, and we supervised it through the Red Cross and similar agencies.

Mr. ZABLOCKI. We knew it was going to the people.

Mr. HOPE. All right. Why can we not make the same kind of offer under this provision?

Mr. ZABLOCKI. Are we going to agree to any provision that the Soviet or the Communist-dominated nations are going to have an opportunity to supervise the strategic items they may barter in exchange for food? Is there any assurance that the Communist-dominated countries will agree to the supervision of the distribution of commodities obtained by barter?

Mr. HOPE. I do not say that we have made any deal or that we will, but we can make an offer. I think the kind of offer we make should be one that will fully protect this country so that we will be sure that these commodities will go to the people who need them and not serve in any way to build up the strength of the countries themselves.

Mr. ZABLOCKI. You just cannot deal with Communists.

Mr. HOPE. Perhaps not, but we can make them an offer.

Mr. ZABLOCKI. We made an offer to give them the food free providing that it got to the people, but they refused that.

Mr. HOPE. They may refuse to accept this.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUGUST H. ANDRESEN. The gentleman will recollect that when we had the Marshall plan up here for debate some years ago. I proposed an amendment that the food we shipped under the Marshall plan would be distributed to hungry people through the Red Cross and through charitable organizations. Would it not be possible for us to write an intent into this debate so that the distribution in these countries can be in the same manner?

Mr. HOPE. You mean to put some language in this legislation?

Mr. AUGUST H. ANDRESEN. No; I mean, if the debate is worth anything, that we can get it into the debate. For myself, I would be willing to have this food distributed in these countries through the International Red Cross and through the churches and through charitable organizations to hungry people. When I offered a similar amendment to the Marshall plan, I was turned down by the very men who are advocating that thing now. They said I was wrong then. Now they have come around saying that I was right at that time. So I would rather see this food distributed in that manner, and then we will be sure, at least, that this food will go to the hungry people of Hungary, Czechoslovakia and these other countries.

Mr. HOPE. I would, of course, agree with the gentleman that that is the preferable way to do it, and I hope we do not make any offer that does not fully protect the interests of this country and protect the interests of the people of the recipient country.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. JUDD. However, when we barter—the grain or the food or whatever it is becomes theirs. We cannot put any strings on how they are to distribute

what will be their own once they have bought it.

Mr. HOPE. We can put any kind of strings on an offer that we want to.

Mr. JUDD. Would we not be making ourselves ridiculous to say that we will barter with them, and then that they have to agree to our strings as to how they shall distribute their own food after they have bought it from us?

Mr. HOPE. We can make the question as to how the food shall be distributed a condition of the offer. They may not accept it.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUGUST H. ANDRESEN. It would be ridiculous if we did not tie strings to it. Then, if that is true, it is ridiculous the way our Government handled the Marshall plan and the distribution of food to hungry people.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman.

Mr. JUDD. I would like to say first that I think the gentleman will agree that I have shown as great interest as anyone in this program of selling agricultural surpluses for foreign currencies, since I was the first person to testify before this committee in 1953 to try to get section 550 of the Mutual Security Act of 1953, of which section I was the author, transformed into the general bill from his committee in 1954, which became Public Law 480.

Mr. HOPE. That is true. The gentleman is entitled to a great deal of credit for that. He was the original, or at least one of the original, Members advocating that.

Mr. JUDD. The gentleman from Texas [Mr. BURLESON] and I put in the original identical bills. Therefore, nobody can be more interested in the success of this program from the standpoints, both, of getting commodities to people who are suffering from lack of food and of helping our own domestic surplus problem of which we are all aware. My point here is this. We all agree as to the fine objective—but what will be the result? That is the question. Food is the most powerful political weapon in the world, and the Achilles heel of Communist regimes from the beginning has been failure of the people to produce adequate food. Russia, Poland, Hungary, and Rumania were always food-surplus countries. They never had shortages until the Communists took over. If they had had drought or floods to cause the present shortages, that would have been one thing. But, they have had good crop-growing seasons and yet there is a shortage that leads unarmed men in the cities to riot, or gives them the excuse to riot. What is the reason? There can only be one reason. The rural people are fighting their tyranny by the only method they have—cutting down food production. Yet it is proposed in this section that we start bartering with the governments, thereby giving the tyrannies respectability, helping to solve their food problems for them, and breaking the spirit of the people. It seems to me an act of shortsightedness where our hearts are running away with our heads, to suggest that we now help the very governments our whole foreign policy is designed to weaken—and at a moment when they are in trouble because of their inability to get the people to produce enough food.

Mr. HOPE. I do not know any way that you can use food for diplomatic purposes as long as it is deteriorating in our warehouses. This is an effort to give us authority to let us make some use of food in an effective way.

Mr. JUDD. I want to see that too. But, I do not want to adopt a method that I believe may defeat the very excellent end that you and your committee have in mind.

Mr. HOPE. Of course, when the gentleman raises that point he is taking a position in opposition to that of the Secretary of State.

Mr. JUDD. That is true, and I regret deeply the necessity of my doing so. Perhaps I have had more direct personal experience with and under Communist regimes. I was under the Communists in China for 8 months in 1930. That was a long time ago, but there has not been any discernible change in Communists anywhere in all these years.

There is an honest and sincere difference of opinion between myself and my own administration as to which is the best way to weaken and eventually break down these tyrannies. I do not believe that can be done from the outside. I think it has to be done from the inside. The strongest and most valuable allies we have in the world today are not some of our ancient friends in Western Europe, but the 900 million people behind the Iron Curtain. We must never do anything to dampen their hopes or cause them to despair. Their spirit is rising in Poland, their resistance is increasing in Hungary, there is open resistance in Tibet. For God's sake, do not desert or discourage them just when they are making headway against the tyrants, as our offering to supply food and thereby greatly strengthen those tyrants would inevitably do. How can they be expected to resist their Red rulers if we are to accept those rulers?

The CHAIRMAN. The time of the gentleman from Kansas [Mr. HOPE] has expired.

Mr. HOPE. Mr. Chairman, I yield myself 3 additional minutes.

I want to say to the gentleman from Minnesota that there is no one who has any greater respect and admiration for him than myself. There is no one with whom I dislike to differ more than the gentleman from Minnesota. I am sure he is very, very sincere, but this is a question upon which there are differences of opinion among well informed people.

Mr. JUDD. There is no question about that, and I deeply appreciate the gentlemen's statement. He knows how high is my respect and regard for him. Our difference is a question of judgment as to what is the best way to deal with Communist governments. I do not think our record in dealing with them has been so successful in the past that we ought to accept from anyone proposal for retreats in our policy as drastic as this without the most careful consideration.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. CURTIS of Missouri. I have been interested in trying to follow this debate. It covers a very important subject. I was disturbed to find there were no hearings available. Did the committee conduct hearings on this matter?

Mr. HOPE. Yes. We conducted hearings over a period of 3 days. We heard the Secretary of State and Mr. Gwynn Garnett, who is the official in charge of this program in the Department of Agriculture. We also heard other officials, including some from the State Department.

Mr. CURTIS of Missouri. I want to thank the gentleman for making available to me a few minutes ago what hearings there were. But the thing that disturbed me, I further observed that almost the entire subject matter deals with section 2 of the bill, and very little of the hearings have any concern with section 3, which is the subject of this big difference of opinion. If the gentleman will refer to section 2 of the bill, which is making available additional funds for the United States Intelligence Agency and Student Exchange Program, I gather that they think this will give them additional money. Is that true? Are they not still limited by the money that the Appropriations Committee of the House and Senate vote in that way, or will this be free money for the student exchange program and also the Information Service?

Mr. HOPE. My understanding is that this will be free money, but it will be handled in the same way as the Fulbright money is handled now.

Mr. CURTIS of Missouri. I think it will be free money. Here is another example of completely bypassing our own Appropriations Committee. I simply wanted to include that thought, that if this is true, I think the Appropriations Committee should be very much concerned. I certainly am, because we try to tighten up on this program, the Information Service, as well as the educational program. Mr. Riley has testified that this will give them almost twice the amount of money that the Congress voted through their appropriation bills. If it is free money, I think we should think about this quite carefully. I cannot understand why these hearings were not printed so that they would be available during this debate.

Mr. HOPE. I recognize the gentleman's position, but it is not a new principle, because it is exactly the same provisions contained in the original Public Law 480, except it is extended to another program.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. HOPE. Mr. Chairman, I desire to yield 3 minutes to the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Speaker, I sometimes wonder if I read enough, because it is pretty hard for me to determine just exactly what our policy is.

I do not see much propaganda value on our side, for instance, when less than a year ago the Government of Poland offered to buy wheat from the United States of America to help feed the people of Poland, and they were refused. Poland was indirectly refused when they were asked to pay 30 percent above the prevailing world price at that time. The Government of Poland went over to Canada and bought the wheat anyway where they got it at the prevailing world price.

Here is what I mean when I say I do not understand: Somehow our State Department and those in control of our foreign policy think it is against our interest to sell food to a Communist-dominated country, dominated against their will as in the case of Poland. But at the same time under this very policy the same State Department and the same Commerce Department just the other day approved a deal whereby the United States is selling $1 million worth of sheet steel to the Soviet Union.

For the life of me I cannot understand how a foreign policy can be against selling food to satellite countries that are controlled against their will and at the same time sell $1 million worth of sheet steel to the Soviet Union. What do you think that sheet steel is going to be used for?

Mr. HOFFMAN of Michigan. They are going to eat it.

Mr. O'KONSKI. They are probably going to make us eat it when the bullets start flying. That is what I mean when I say I cannot understand what goes, and just what kind of a policy we do have, if any?

I hold no brief for the Communist Government of Poland. I despise it. I was against ever recognizing it in the first place. But if we do business with Russia, I cannot see how we can refuse to do business with Poland.

I am for this bill. I think it is a good bill. It may aid us in getting food to hungry people—when our warehouses are bulging.

Mr. POAGE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am glad to find at least 1 or 2 Members on my left have finally decided that this bill is worthy of some consideration.

However, I think the gentleman from Wisconsin is probably laboring under some illusion as to the facts when he describes the situation a year ago. It is perfectly true that the United States refused to sell to Poland the wheat she wanted at the price for which we were then selling to other nations under this very act. The United States did offer to sell wheat to Poland on the terms required by the general law. All that Poland was denied was the advantageous terms which we have extended to friendly nations under Public Law 480. The reason is that there is language in the law today which our Government construed as prohibiting them from extending the more advantageous terms to any satellite. The language is to be found in section 304 where it says:

> The President shall exercise the authority contained herein to assure that agricultural commodities sold or transferred hereunder do not result in increased availability of those or like commodities to unfriendly nations.

What the State Department and the Department of Agriculture determined was that that language prohibited them from selling under the terms of this act. They then offered to sell wheat to Poland at the regular domestic price, the same price you and I would have to pay if we bought it from the Commodity Credit Corporation. That was not a refusal to sell wheat to Poland; that was a refusal to sell wheat to Poland at the discount price which we were offering to certain other foreign countries under the terms of this bill. The United States did it because they said this bill prohibited the more favorable terms to Poland. The very amendment that is now under discussion would take that language out and will substitute language which will enable us, if we see fit and if we think it is to our advantage, to trade with Poland on a barter basis or with any of the satellite countries. It will achieve exactly what the gentleman feels should be achieved. It seems to me it is a step in the right direction.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. How in the same bill could our Government approve the shipment and the sale of a million dollars worth of steel to Russia?

Mr. POAGE. Because there is a specific difference between the way we treat the satellite countries and the way we treat the Soviet Union. We have tried under the terms of this amendment to make it very clear that you cannot even barter under the terms of this amendment with the Soviet Union, with Red China, or with North Korea. Read the amendment. It specifically prohibits the bartering of these commodities with those three countries, Red China, Red Russia, and Red Korea.

They are trading with Russia now, as I understand it, on the basis of the old law that has never prohibited our citizens from trading with Russia. The Agriculture Committee had no jurisdiction over those transactions. We can only recommend rules as to the movement of these surplus agricultural products. If you can get a license from the Department of Commerce or the State Department you can trade anything except these agricultural products with Russia, and American citizens are doing it today. Your President is authorizing it. Possibly that is the reason some of the Members on that side have felt so much reluctance to approve this measure.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. JUDD. The same section that the gentleman has read in which barter is prohibited with Red Russia, Red China, and Red Korea also prohibits transactions under title I, which is trading surpluses for foreign currency.

Mr. POAGE. That is right. We are not offering anything to either Russia or Poland for foreign currency. The steel hereto referred to is not being sold for rubles; it is being sold for dollars. As far I as know, there is nothing in the present laws of the United States that prohibits the sale of anything—of airplanes, of high-octane gasoline, of weapons.

Mr. JUDD. Oh, yes there is.

Mr. POAGE. To Red Russia if they can get a license from the United States Government.

Mr. JUDD. But the issuing of a license is prohibited in the Battle Act.

Mr. POAGE. I am sure that the President has issued the license, whether forbidden or not. The people who are selling this steel have a license. This steel is being shipped under such a license.

Mr. JUDD. There are certain strategic commodities prohibited entirely in the Battle Act. Others are considered of less importance and, hence, have differing grades of priority.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentleman from Minnesota can tell us when the penalties under the Battle Act have been enforced.

Mr. JUDD. But the Battle Act requires licensing, just as the gentleman from Texas said.

Mr. GROSS. It has been violated by Britain, France, and other countries. They have on the record admitted that they have violated the act by shipping strategic materials to Communist-dominated countries. Has the Battle Act ever been enforced?

Mr. JUDD. We are not talking about the Battle Act as far as other countries are concerned. I was talking about as far as it affects the sale of American goods.

Mr. GROSS. The gentleman was talking about the Battle Act and it has become a dead letter in the law.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, I hope Members will let me proceed for a few moments without interruption because I think it is rather important that we get this situation clear. I can see that there is some reluctance on the part of the gentlemen on the Republican side to support legislation that gives your President and your Secretary of State a degree of discretion that if properly exercised will certainly be to the great advantage of the United States. But, if improperly exercised, it probably would be harmful. I can understand why you have some reluctance, but I should think that it might more properly be expressed on this side. I should suppose that we might have a little more reluctance than you do about that matter, but apparently the gentlemen on my left are more reluctant to place power in the hands of their President and in the hands of his Secretary of State than those of us on the Democratic side. I suppose this must be so because you know them a little better than we do. You have an opportunity to discuss these things with them and we do not. I have never had an opportunity in my life to discuss with

the Secretary of State any of these problems except on the one occasion when he asked to come before the Committee on Agriculture. Of course, the Committee on Agriculture was glad to have the Secretary of State come up and discuss matters with us. We thought he made a rather reasonable presentation. We thought it sounded rather reasonable that we should be allowed to get something from these people when we help them rather than to simply hand them something as a gift with no opportunity to even ask anything in return.

I want to make this clear. If you do not understand anything else I say, please remember this: The law as it is now written—and I refer you to title II of Public Law 480 as it is now written—authorizes your President and your Secretary of State, and mine, within the overall dollar limits of the law—to give every bit of this food we have in storage to these people in the satellite countries. They could clean the warehouses of the United States and ship it as a gracious gift to Poland, Hungary, Rumania, or any of the rest of those countries and get back not one thing of value. Now, what this amendment does is to say that the same officials who now have the authority to make these decisions can, instead of giving this food away and forgetting it, say, "We would like to have something in return." I think it is important to the membership of this House that you understand that presently the President of the United States and the Secretary of State can clean the warehouses out; give away every grain of wheat, every bale of cotton, to people behind the Iron Curtain; give it to them without any recompense whatsoever. This amendment says: Mr. Secretary, it looks like it is smart to get something in return for what we give these people. We are not adverse to helping people who need help, but we feel in turn if they have something that we need that you should ask for it, and this amendment authorizes your Secretary of State, your President, to get something in return.

Now, we do not know just how much they have in many of these places that would be helpful to us. We do not know just what kinds of trades can be made. The Committee on Agriculture of the House is in no position to make trades with these countries, but we do feel that common, ordinary, horse-trading sense indicates that we ought to give the authority to the executive branch of the Government to make some trades and get something back when we give away this food. After all, what it boils down to, it is nothing in the world except are you willing to give to the President of the United States and the Secretary of State the right to do some trading rather than to limit them to giving things away. They have the power to give this food away today. We want to give them the right to get something in return, and that is all there is to it.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. SHEPPARD. There is one question I should like to ask the gentleman just to clear up my own thinking. Suggestions were advanced by my colleague, the gentleman from Minnesota [Mr. JUDD], and also by the gentleman from Texas [Mr. DIES] that indicated that apparently they were concerned very much about the mechanics of the distribution of this food, because of its psychological effects. Would the gentleman be good enough to tell me whether under the existing law there is anything to preclude this Administration from designating the Red Cross or some other such organization to distribute any of this food that goes to these countries?

Mr. POAGE. No, there is not a thing in the law now. The President can give it away under any terms he wishes and though any agencies he may select, but we cannot get anything back from these countries. This amendment says that we can get something back; that is all it says.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. JUDD. Just for a correction. The gentleman has said that the President could clear out our warehouses and give away to satellite countries everything we have in them. He cannot. The law says:

> In order to enable the President to furnish emergency assistance on behalf of the people of the United States to friendly peoples in meeting famine or other urgent relief requirements—

Unless the gentleman can envisage a famine or other urgent relief requirement that would require everything we have in our warehouses, it is extravagant to say that he has such power.

Mr. POAGE. If the gentleman does not believe that there is enough hunger behind the Iron Curtain today to eat up all that we have in our warehouses in America, then he has a vastly different idea of the efficiency of the Communist countries than I have. I have understood that they do have exactly the "famine or other urgent relief requirements" mentioned in the law.

Mr. JUDD. But our President will not violate the law.

Mr. POAGE. I don't want him to violate the law. I want to give him a law that will clearly give him the authority he needs to do some good trading. Evidently I have more confidence in our President than you do.

Mr. HOPE. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, I should like to talk for just a few moments about what the bill actually does and not get off on section 103, or section 104, whichever it is, on which there has been so much colloquy, because there are much more important parts of this bill that have not yet been emphasized or discussed.

The gentleman who just preceded me was one of the original members [Mr. POAGE]—and I supported him—who felt that we should use barter and trade for strategic minerals or materials, with foreign countries.

Certainly no one within the sound of my voice but realizes that we should do that, when we consider the matter of our surpluses of farm commodities. There is no reason why we should not dispose of our surplus farm crops to all areas except those satellite countries which are named as exceptions in the bill. That is exactly what this bill proposes to do.

Let us check carefully and see if we cannot get together on this. If any Member wishes to offer an amendment, I know of no rule to prevent him from rising and offering an amendment to accomplish what he has in mind.

First of all, this bill increases the amount named in Public Law 480, $1.5 billion, to $3 billion. We felt that it had worked well, and the State Department supported it and asked for the legislation. We ought to double this sum. Certainly no one within the sound of my voice is going to rise and oppose this increase of funds.

No. 2, it authorizes the use of some foreign currencies received from the sale of surplus commodities for the support—and listen to these next four words—of American schools abroad.

That is in this bill. It gives an opportunity to our Secretary of State to see to it that some of our surplus products get into schools guided and directed by the philosophy of the Christian religion, regardless of the denomination. It permits the Secretary of State to get this food and these materials into these schools. If we can get them into the schools—and they are needed—we are doing a good job. There are thousands and thousands of people behind the Iron Curtain that are just as serious in the belief in the Christian religion as we ourselves are. This is an act that appeals to the basic philosophy upon which our Government was founded.

You are listening to one Congressman that has always felt the real error has been made in the way we send our surpluses, especially our food surpluses abroad. What do I mean? I simply mean that, if you accept the philosophy upon which this Government is based, you support the idea expressed in this legislation. I have been disappointed in the Foreign Affairs Committee in that long ago they did not say to us we should not give the food to the governments but to the people.

In the front row before me sits a Congressman who was chairman of the committee that in 1947 visited some 9 or 10 countries of Europe. We were just beginning to deliver our great surpluses to these people. He and I visited farm after farm, market after market. We had conferences with agricultural departments in almost every one of those countries. We discovered at that time that we were doing this in a very slipshod and mistaken manner, wherein we were sending it through the governments when it should not have been sent through any government; it should have been sent to some type or kind of social organization that could direct the food to the people.

Let me tell you a terrific impression I received in Italy. It is almost impossible to transfer the impressions in my

mind to this House. I am sure the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], of whom I was speaking a moment ago, will remember this.

We came upon a group, I will say 50 men at least, laboring on a highway in Italy. I was amazed at the kind of tools and equipment they had. They were all hand tools. We stopped and we visited with those men through an interpreter. With all the food we had been sending to Italy, and it is a great country without a question of a doubt, we discovered that they could not work those men over 3½ to 4 hours a day, in spite of all the surplus food we were sending to Italy. The answer was simply this: They could not get the food through the Government of Italy passed on down to the poor folks of that country without going through every type and kind of business organization that existed in the country of Italy. Just what kind of distribution of food is this? Under this bill we begin to realize the mistake and the error of our ways.

I happen to be a Protestant, a Presbyterian, but behind the Iron Curtain are thousands and thousands of devout Catholics. I hope the House can see that through this plan we can get this food to these people many of them starving.

There is one more request I want to make. Some of us keep still when we know we should speak. This is one of the times when my heart says to me, "You cannot keep still." I cannot go along with the philosophy that just because a damnable government holds a people down you cannot or must not try to get food to them?

I do not care whether it is in surplus or whether it is in scarcity.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HILL. I do not yield.

Mr. HAYS of Ohio. Tell us how you are going to do this then?

Mr. HILL. That is something that you should be thinking of in case I ask you.

It is a fine thing to find fault when someone says you have no way of remedying it. I have a remedy and I gave it to you. The remedy is through the philosophy of the very religion that was the basis of the foundation of this Government. We still have organizations that can see that this food is channeled into the proper places. Now, let us keep that in mind. The Communists have no religion.

I want you to turn to page 15. There you will find this. Let us get to the base of the difficulty. No one is finding fault with the first two sections. The general provisions of page 15, and they are according to the rules of this House we have written in the changes. I wish you would look at those changes. They are not many and they are not difficult. But, if anyone in this House does not like those changes, please make your arguments—offer your amendments and if you can convince me that you are right, I will support them.

Now let me say—not one single member of the Committee on Agriculture, after they heard this testimony on how they were going to carry on this program offered a single word of objection to this bill.

I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. I would like to take the gentleman back to section 2 and ask him where he finds the word "school" in there. It says: "authorized by section 203 of the United States Information and Educational Exchange Act."

Mr. HILL. We happen to know where you will find it and, if the gentleman cannot get the hint of what I said, the gentleman will always have to be lacking in information.

Mr. GROSS. What do you mean by educational exchange act?

Mr. HILL. I mean there are plenty of ways to get the food to these people behind the Iron Curtain, if you know how to do it. That is the answer to the gentleman—I cannot go any further.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. JUDD. I hesitate to say this because I realize how easily it can be misunderstood. But here is a case where my conscience requires me to say something too. The gentleman has said this bill is based on the principles of the Christian religion.

Mr. HILL. The gentleman believes that, does he not?

Mr. JUDD. Yes, I certainly do.

Mr. HILL. You are not questioning that statement?

Mr. JUDD. No. That is the worthy objective. But what will the result be? I am convinced it will be the very opposite.

Mr. HILL. Wait a minute, I have the floor.

You do not have any results that you are bragging about here this afternoon from your committee, do you? Do you think you are bragging about what you have been doing? I could tell you frankly that you have convinced many people to oppose any type or kind of foreign-relief program that you present to them simply because of the way it has been handled.

Mr. JUDD. Will the gentleman let me make my comment?

Mr. HILL. Yes, I am waiting.

Mr. JUDD. Thank you. This is what I must say. It seems to me we are being tempted here today in the same way that the Founder of the Christian religion was tempted. People came to Jesus and said, "Here are people who are desperately hungry. You have the power to feed hungry people. Are you going to be so cold-blooded and so heartless and so cruel that you will refuse to use your power to turn stones into bread to feed these starving children?"

It was a terrible temptation. He loved them and he wanted them to have food. But because he loved them so understandingly, he resisted the temptation, saying: "Men do not live by bread alone."

Now why are the people of Poland refusing to work and to till their fields and to grow enough food? It is because they want freedom—they cannot live without it. It is more precious even than food. Likewise, we must not yield to the temptation to believe that bread, essential and important as it is, is the whole thing by which God's children, with souls as well as bodies, live. They must have freedom also. If I can help myself I will never do anything to build up the strength and the prestige or the respectability or the influence or the power of those anywhere who hold human beings in subjugation.

I too go back to the Founder of our religion and am led to the very opposite conclusion of that to which the gentleman is led. With the very same religious motivation and with equal conscientiousness and sincerity, some of us come to the opposite conclusion of that of the gentleman. But, I do not want the gentleman to think that we come to our conclusion because we are against feeding children. We must be sure that the food gets to the children and we must also feed them with more than what bread alone can provide.

Mr. HILL. Is the gentleman finished?

Mr. JUDD. I am through.

Mr. HILL. Why you are making my argument. I am proud of the gentleman because he knows full well before he sat down he said frankly that if you can do what I said they could do, he would be for the bill. Now what are you going to do—be against the very thing you supported on the floor of this House because we happen to know they will get some of this food to these people in a way that you would expect?

Mr. JUDD. It is not just food they must have to live.

Mr. HILL. Read the Scripture and then give it a meaning.

Mr. JUDD. Well, they have proved that they preferred freedom to food.

Mr. HILL. Oh, now——

Mr. JUDD. Yes. That is why they did not grow enough food. They are trying to weaken the government that deprives them of freedom. That is happening in every Communist country.

Mr. HILL. Let me ask you. You said they control it.

Mr. JUDD. I said the people prefer freedom to food.

Mr. HILL. You mean they prefer starvation to working?

Mr. JUDD. No. It is not to avoid work. It is to avoid strengthening their government. In every Communist country they have cut down production. Let us not defeat by this section their efforts to regain their freedom, harsh as that at first might seem.

Mr. HILL. Now you are off the track and running on the ties. You have to work because you cannot help it. They are forced to work. Even if they did work a little on the food you supply them, do you believe for a minute that the people of Poland, with their fine historical background they have had in the past—do you believe they have forgotten the foundation of their nation, its liberty, its freedom, and so forth. One of the greatest spirits in any nation on earth for liberty and freedom is Poland.

Mr. JUDD. Why are the people in Poland hungry?

Mr. HILL. That is not your fault or mine.

Mr. JUDD. Why are they hungry?

Mr. HILL. You would violate all precepts of the philosophy of the Christian

religion unless you want to help them as much as you can.

Mr. JUDD. Why are they hungry? Why have they not grown food? The Communists can control the industrial workers, but they have not been able to control the rural people. They will not grow food because they want to pull down their government. This is the main hope there is of ultimate triumph over the despots.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. HILL] has again expired.

Mr. HOPE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HILL. I am not asking you that you should give money to the Communists. Who said that? No one on the floor on either side has said that. We simply think there is a way in this bill that you can get around some of the difficulties we have had and save some of these people behind the Iron Curtain. Save them for what? For Russia? Certainly not. Save them for liberty and freedom in every spot on the earth.

Well, here you have an opportunity. If you do not like the bill, you change it to suit yourself, but let us have the bill as nearly as we have presented it. If you want to amend it, propose your amendment.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. POAGE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, I think we agree that in this debate the most important interest is the interest of the United States.

I beg my colleagues of this Congress not to throw a food blockade around any people on earth in need of food. Let it be their governments not ours that would be guilty of such a crime.

Like pain, hunger respects no boundaries, nor does it respect, wherever found any race, color, or creed, regardless of conditions or servitude.

Though born of prior servitude, the United States has in freedom extended its hand in help ever since 1776.

Our flag flies where it belongs all over the earth. It flies in friendship.

Woe to any man whose hands reach for the guidelines that would lower that flag without our consent. I would shoot him dead if entrusted to keep Old Glory flying, or if entrusted to raise it where it belongs for all to see and for all to draw nourishment from it.

In every land on earth, Old Glory does its job, it seems to me, if with each setting sun, because of it, one more pair of eyes and one more heart has smiled and quickened.

Old Glory is our morning prayer. By eventide, let us hope that it has flown before the breeze to fill men's hearts with added appreciation of their worth and of their right to live, worship, and work in freedom, unfettered by governments not of their own choosing.

Our food follows the flag. Let it not be said that we, the people of the United States, do not want the food surplus that we, the House of Representatives own, to go to the people who are in need of food, flag or no flag.

The people of Poland, the 100 million people of Central Europe and the over 1 billion people in Asia need food. We have food. Let us set up feeding tables and feed the people who hunger.

In 1944, when our boys first lit fires to feed themselves in Viareggio, Italy, hands, fingers, open hands of women and children pushed through iron fences with anguished cries of "Pane, pane, Io fame, pane, pane"—Bread, bread, I am hungry. Our boys gave. God how we gave. We asked no questions. We gave.

The people in Poland want food. They need food. They hunger. We must give it.

God forbid that this House throw down a food blockade.

We must man the food sacks. It is for the Executive, it is for the President of the United States, it is for our Commander in Chief and our experts in the land to get food to the mouths of those who hunger.

Does our fleet close in only on the night of battle? Does it ply the Baltic and the Mediterranean loaded only for bear? Why cannot the Commander in Chief order the fleet to load up and stand offshore in the Baltic with food on board? Why cannot the Commander in Chief through an officer on board one of our ships in the Baltic signal to the people of Poland, signal to the people in Gdynia, in Danzig, in Stettin and in Koenigsberg, to "Come and get it, the food is yours." Let the President say, "the people of the United States want you to have food. The people of the United States want you, the Poles, you who were the first to fight for our cause, you the Poles who helped us smash the Axis, and who now writhe in hunger under Cossack officers who swing at you with hammer and sickles. We the people of the United States, through our Commander in Chief, want you to have that food. Here it is."

Then, let the responsibility for the denial of that food to the mouths of those who hunger be squarely placed. But let the President speak out, not at Geneva, not at the United Nations, but at Gettysburg or the White House.

One wishes that the President, ill as he might have been, had raised a finger and simply said to the Kremlin—whose officers command the Polish Army—"Kremlin, what is the story on the Poznan uprising? Kremlin, what are you doing about the satellites?"

One wishes that the President had done that. The people of the country would feel very happy, for it is a humanitarian gesture, is it not, for the White House to make an inquiry about a nation in difficulty? It was not done.

There is time, Mr. President, there is time for the White House to hearken to the spirit of our boys who, as they lie in Flanders Field, seem yet to say, for mankind everywhere—

We are the dead
Short days ago we lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie in Flanders Field.
Take up our quarrel with the foe:
To you from failing hand we throw the torch; be yours to hold it high.
If ye break faith with us who die,
We shall not sleep, though poppies grow in Flanders Field.

That is the spirit of Old Glory, Mr. President. It is our spirit, yours and mine. It is the spirit of this House and of all the people in the land, is it not?

It is the spirit of the people in Poland. Let us tell them we know it to be so. For their dead speak to them as do our dead. Mr. President, do they not?

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I tried to ask the gentleman from Colorado a question, but he would not yield.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I am not going to yield to the gentleman; the gentleman did not yield to me.

Mr. HILL. I yielded to you, but you left the floor.

Mr. HAYS of Ohio. I did not leave the floor; I have been here all afternoon. I tried to ask the gentleman from Colorado [Mr. HILL] a question and he said: You had better be thinking about it yourself instead of asking me." I profited from his observation and probably anything I have thought of will be more fruitful than his discussion.

I just want to say with regard to the gentleman's proposals, that no matter what he proposes to do he cannot give me any satisfactory answer, and I have listened to witnesses in closed-door testimony, but none can say how they are going to get this stuff to the people without going through the Communist government. And if you go through the Communist government they are going to distort it, they are going to relabel it, they are going to take the credit for it.

When in 1949 I was in Yugoslavia I saw what happened to the milk we sent there through UNICEF. We visited a school in Zagreb where the children were drinking milk. After they had drunk it they sang a song of thanks to Tito for the milk; yet that was the very milk that we were giving them.

What you are going to do if you adopt this plan is to strengthen these despotic governments which hold these people in slavery, you are going to help fasten it on them with tighter bands.

As a matter of fact I introduced a resolution just today asking this Congress to request the State Department to withdraw recognition from that bloodstained so-called government of the so-called People's Republic of Poland.

If you give the State Department the power to barter with them I think you are giving that government a stature in the eyes of their people and in the eyes of the world that they do not deserve.

If the gentleman from Colorado wants to get some more time he can come down here in the well and tell the House just exactly how he proposes to get that food to these people who want it, and God knows I want to see them have it, but how can we get it over there and get it to them without going through the Communist government?

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I hesitate to intrude myself in this debate because I have had no opportunity to study this subject as have the members of this committee. I did, however, discuss the matter with a representative of the State Department, and I recognize that there are two sides to this question. I have given it very careful consideration, and I am convinced in my own mind that we should not authorize the trade with the satellite countries.

I am reminded of the words of an old Roman senator who on the floor of the Senate of Rome said: "An empty belly hath no ears."

The truth is that the Achilles' heel of the Soviet Union is its inability to furnish the people under its control and domination with the necessary food and fiber. The greatest weapon we have today is the fact that all over the Communist world people are going hungry. Of course, I would be willing to use any of this surplus food to feed these starving people, and our Secretary of State offered to give to the people of Poland all the food they needed. But the Communist regime refused it. They refused it because they did not want to acknowledge their failure. The time will come, however, when they cannot refuse it. There is one thing that no government can control and that is the people when they are hungry, when they are starving. What the satellite countries want is trade for this food, to put it on a respectable basis. From a propaganda point of view it seems to me it would be far better for us to continue to make offers, to say we will give all the food that the starving people need. We will make it available to them in all of the free countries. But to barter with those Communist countries, to supply their governments with the things they need to strengthen them in this critical moment, in my opinion, would be to strengthen the Soviet regime.

This united front, to which the Communists are returning, was a very potent weapon. Stalin used it successfully. One of the strategic mistakes of the Soviet Union was to scrap the united front. It proved very effective in all of the free countries of the earth. It was effective in the United States. Through that instrumentality, that device, the Communists were able to gain many adherents and dupes throughout the world. They are now seeking to return to it for strategic reasons. The principal reason they have for returning to the united front is the desperate need for food. They must make a decision either to reduce their armaments and to whittle down the gigantic war machine they have constructed to terrorize the world, or to starve their people. They find it impossible to maintain and strengthen this war machine and supply the millions of people under their control and domination with the food and the fiber which they desperately need.

So as an act of Christian charity and because I have a love for humankind, wherever they are, I would certainly be willing to tender to the peoples of the satellite countries surplus food, but I would not recognize the regimes that now dominate those helpless people by entering into trade agreements with them. I would hold fast and strong to our position because I am confident it is the great weapon that freemen and democracies now have in the world. If we will adhere to a policy of refusal to trade with them, not a refusal to offer our food and our help to their starving people but a refusal to put it upon a respectable basis of barter and trade with their tyrants, I am confident that in the months to come the Soviet Union will find itself in the same predicament that Napoleon faced, that Hitler faced, that every conqueror who ever usurped authority finally had to reckon with—hunger and want.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, Public Law 480 was passed by this Congress with the greatest of hope it would help solve our farm problem. It was passed at a time when these huge supplies of commodities were being pointed out as evidence that our farm program had broken down. At the time this law was passed it was clearly intended to be used as an additional means of relieving the problems coming from huge supplies that we had on hand, but which we had never offered for sale.

Most of you will recall that for about 3 years I have tried to point out that the Commodity Credit Corporation has had authority through these years to sell these commodities through normal channels for dollars, but would not use that authority. I think, looking back, in view of the way it has been administered we probably made a mistake in passing Public Law 480. And I voted for it. But we probably made a mistake, because I can see that it was used as a substitute for normal sales through normal channels at competitive prices and as a means to hold our commodities off world markets so as to give an umbrella to expand production in foreign countries. The law to which this present bill is an amendment provides that 90 percent of the foreign currencies that are received through sales of those commodities are not even subject to the appropriation processes of the Congress. Even the other 10 percent the President can release. Evidence before our committee—and we had it investigated—shows that as we cut our own farmers down in acreage, foreign acreage has increased. Why? Because foreign currencies were being used to meet the needs of those countries, leaving their dollars free to buy tractors, farm implements, and machinery to go into the production of the very commodities that we were giving them. It means that American farm commodities have been used to put American farmers out of business. Why? Not under the intent of the act, not under the intent of the Congress, but because while we gave these commodities away—and every newspaper and magazine wrote about how to sell American farm commodities, limiting themselves to a discussion of Public Law 480—in the process we forgot about the age-old simple way of disposing of commodities, which is to offer them for sale for dollars through normal channels for export all as authorized under existing law. Secretary Benson insisted he could not sell if he tried. Finally he acted after 3 years and his experience has given conclusive evidence that I have been right all the time, and, may I say, has said so before our committee. He has sold some $2 billion worth of commodities for dollars since we finally got him to offer them through normal channels at competitive prices. Listen to this: 3.5 million bales of cotton have been sold for dollars through normal channels, through our own businessmen, the finest exporters, the finest foreign-trade people in the world, in 6 months, after we finally got them to start.

I am not trying to destroy this bill at all. I do not think the first bill should have done the damage it did. It was in the administration and in its being used as a substitute, as a vehicle to take us out of world markets and hold an umbrella over foreign expansion. When we reach the appropriate place, I expect to offer this amendment:

> Commodities disposed of under this act must be in addition to sales of such commodities in world trade through normal channels at competitive prices for dollars.

In other words, we say to Mr. Benson: It is all right; we are willing for you to give some of our commodities away, in view of the present situation largely caused by holding our commodities off world markets, but you cannot give away that which you refused to sell for dollars through normal channels. We ought to keep our own farmers in business.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman's amendment provides that the surplus commodities shall be in addition, and of the same kind going into these different countries. Now, I do not know whether that is the language the gentleman refers to, but in the law it says, "In excess of the usual marketings of such commodities." That is the language that we wrote into 480.

Mr. WHITTEN. I tried to make it quite clear, that the intent of the original bill was good. I supported the bill. The intent was good. But, my amendment is somewhat different from that, in that my amendment calls on them to sell in world markets at competitive prices before they give away. The present act is a little broader in that the quantity going into that particular country shall be in addition to the quantity that normally would go in. This amendment goes a little further, but clearly says that we insist that they continue those normal sales at competitive prices.

Mr. COOLEY. The basis of the gentleman's argument is that the administration should ignore the real language and the purpose and intent of the law. What encourages the gentleman to believe that they will not ignore the language contained in the gentleman's amendment?

Mr. WHITTEN. Because for 6 months they have been selling competitively, and I want to see this effort of the last 6 months continued. I would have us say: Do not give away without being willing to sell.

Mr. HOPE. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, I am opposed to the proposed amendment to section 304. I am opposed to people making a fast buck at the expense of our national security. This amendment will bring about a situation in which the bounty of our free agricultural system will be bartered against the products of the slave labor camps of the tyrannical Communist regime.

The reason I am opposed to it is that we will be in the first instance trading against the products of slave labor camps of the tyrannical Communist regimes; and if we do provide Communists with food—and the Communists have always used food as a political weapon and even as a weapon of war—we will be making more firm their tyrannical hold upon the enslaved people.

It is patently clear to me that when we barter these agricultural commodities with the Communist-dominated countries, we certainly must expect that they will be using those commodities at the behest and the direction of the Kremlin. So we are really just opening up the back door for the Russians to use our agricultural surpluses and we are not facing the real issue. So I certainly hope that this amendment will be defeated.

This proposed amendment is contra to the basic purpose and intent of the Mutual Security Act. Through that legislation we intend to help free nations to remain free and to expand the influence of human freedom. This proposed amendment would counteract all the good we are attempting to do through the mutual-security program. To me, this is an intolerable inconsistency.

I hope this proposed amendment will be defeated.

Mr. JUDD. Mr. Chairman, would the gentleman yield?

Mr. FEIGHAN. I am glad to yield to the gentleman from Minnesota.

Mr. JUDD. The gentleman spent a great deal of time with a subcommittee in Europe studying these Communist regimes at first hand. Does he believe that any of this food could conceivably get into the stomachs of the poor, tragic people in Poland, for example, who have been rising against their government?

Mr. FEIGHAN. I think very definitely not. And if it did, it would be at such an outrageous cost to them that they probably could not even afford it.

Mr. HOPE. Mr. Chairman, I have no further requests for time.

Mr. COOLEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 103 (b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83d Cong.), is amended by striking out "$1,500,000,000" and inserting in lieu thereof "$3,000,000,000."

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. GROSS. Mr. Chairman, I know of no one who would not help starving people if they knew how they could be reached directly and effectively. I know of no one in this House Chamber who would not give all the aid and assistance possible.

The hungry people of Poland have been an issue before the House today. Mr. Chairman, I want to call your attention to the fact that according to the American Meat Institute 2,640,000 pounds of pork were shipped from Poland into this country during February of this year. This was 94 percent more than the amount imported during February 1955. The institute also reported that during all of last year 13 percent more hams came into the United States from Poland than during 1954, 22,359,000 pounds against 19,717,000 pounds.

In terms of ham imported during 1955 it represented about 1,175,000 marketable hogs in the United States. With the people of Poland hungry, why don't they keep these hams at home, in Poland, to feed their people? Why do we permit Polish pork products to come into this country, thus helping deprive hungry people of food?

What kind of an arrangement would we be getting into under the terms of this bill if we use our surplus to feed the hungry people of Poland while they ship hams into this country? We would be paying both ways in that kind of a deal. And, of course, the people of Poland who are hungry would not get the food except upon the condition of subservience to the ruling Communists.

Last year, according to the Department of Commerce, Poland shipped to this country $25,756,000 worth of all kinds of products. Almost $20 million of the $25,756,000 represented canned pork products from Poland. We exported to Poland $3,307,000 worth of all kinds of our products. Did somebody say we are going to barter with Poland? In other words, we apparently shipped American dollars to Poland last year to the extent of some $22 million. They get mileage out of the American dollars back of the Iron Curtain, better mileage than we get on this side of the Iron Curtain, in dealing with our so-called foreign friends. If the people are starving in Poland, let them keep their ham at home. We do not need it in this country.

Incidentally, I want to say to the gentleman from North Carolina that when his bill comes up to finance the establishment of city markets, providing that the taxpayers of the entire country put up the money to build markets in the various big cities of this country, I will have an amendment to provide that no Polish ham, or agricultural products from any Communist-dominated country, can be sold in any of those markets.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Would the gentleman give us the figures again on the importation of Polish hams? The gentleman gave the figures a minute ago, but I did not want to interrupt him at the time.

Mr. GROSS. Yes. 22,359,000 pounds in 1955 alone.

Mr. COOLEY. Then we are carrying on commerce with Poland at this time?

Mr. GROSS. Yes, we are. I anticiplate the gentleman's next question, and before the gentleman can ask it, let me say I have protested these imports time after time on the floor of the House and in letters to the White House.

Mr. COOLEY. Other Members of Congress have likewise protested it, but the fact is our Government is carrying on commerce with Communist Poland.

Mr. GROSS. That is exactly right.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Maryland.

Mr. DEVEREUX. I should like to compliment the gentleman for bringing to the attention of this body the case of Polish hams. I wrote to the Secretary of State just a few days ago suggesting we should not be a party to taking food out of Poland under the circumstances the people are living under today.

Mr. GROSS. I compliment the gentleman for his action. Let me reemphasize that Polish shipments of pork products to this country last year alone displaced the equivalent of 1,175,000 head of hogs in this country, according to the American Meat Institute. That also displaced a lot of corn and other feed grains that go into raising hogs to marketable weights, and thereby added to our surplus of feed grains.

Mr. COOLEY. May I ask the gentleman whether or not Secretary Benson has recommended any remedy for the problem the gentleman is now presenting and discussing?

Mr. GROSS. None that I know of.

Mr. COOLEY. The Polish hams are replacing the American hams in the American market?

Mr. GROSS. Not only that, but they are displacing, as I said before, substantial amounts of feed grains produced in this country.

Mr. COOLEY. I think the gentleman is probably correct.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Connecticut.

Mr. MORANO. Does the gentleman know whether there is any duty on Polish ham, and if so, how much it is?

Mr. GROSS. No; I do not know whether there is or not. I resent any of it coming in under any condition, even one pound.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. BURNSIDE. I want to compliment the gentleman on the statement he made, and to reiterate that if we give this food it will be given to the Russians, because they collect the food in these countries. In this way we would be furnishing food for Russian troops in the satellite countries.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. JUDD. As a sample of how benevolent these governments are toward their own people, when millions were actually starving in China, Communist China exported hundreds of thousands of tons of rice to Ceylon and other countries in exchange for rubber and other strategic materials. They took the rice out of the mouths of their starving people in order to procure weapons of war to use against our allies and ultimately against ourselves. Now it is proposed that we help such governments overcome their shortages of food so they can continue to do more of the same.

Mr. GROSS. Yes, and the British are shipping tractors, rubber, and other strategic materials to Communist China.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

Mr. CURTIS of Missouri. I object, Mr. Chairman.

The Clerk read as follows:

SEC. 2. Section 104 (h) of the act is amended by inserting the following language immediately before the period at the end of the section: "and for the providing of assistance to activities and projects authorized by section 203 of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1448)".

Mr. CURTIS of Missouri. Mr. Chairman, I make the point of order against all of section 2 that it is an appropriation on a bill by a committee not authorized to deal with appropriations.

In support of that statement, may I say that this is exceedingly technical and very difficult to follow. Nonetheless, by referring to the basic act, Public Law 480, with which this deals, we find that it refers to foreign currencies and I quote, "which accrue to the United States under this act." Then refer to the specific section which states, "to use the foreign currencies which accrue." Then go right on down to section (h), to which this is an amendment. It states, "for the financing of." I submit this is obviously an appropriation. I might say that if this were only an authorization I would have no objection to it at all, but I do not believe this is a proper place to appropriate.

Mr. TABER. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. TABER. Mr. Chairman, this currency unquestionably belonging to the Government of the United States, which it receives under the provisions of section 2 of Public Law 480, 83d Congress, and being turned over by the terms of section 104 for specific purposes is for other things or for anything that they desire to purchase.

Paragraph (a) provides for providing new markets for United States agricultural commodities.

Paragraph (b) to purchase strategic and critical materials.

Paragraph (c) to procure military equipment, materials and so forth.

Paragraph (d) for financing purchases of goods.

Paragraph (e) for promoting balanced economic trade among nations.

Paragraph (f) to pay United States obligations abroad.

Paragraph (g) for loans to promote multilateral trade.

Mr. Chairman, the adding of one more item for which the funds can be used constitutes an additional appropriation of these currencies which belong to the Government of the United States as a result of the operations under paragraph (a) section 2.

Mr. COOLEY. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. COOLEY. Mr. Chairman, all of the money that goes into the financing of these programs have already been appropriated and turned over to the President to be used by the President. In the original act, he is given the right to barter. He is given the right to sell for local currencies. He is given the right to give away. This only provides that he can barter just as has been pointed out heretofore in the debate; one of the rights he now has is to barter. We say he cannot barter with the U. S. S. R. or North Korea or China, but that he can barter with all other countries in the world. So it is not an appropriation on legislation at all. The moneys have already been appropriated and now are in the hands of the President. Mr. Chairman, without unduly delaying the matter, may I point out the language. It says:

The President may use or enter into agreements with friendly nations or organizations of nations and use the foreign currencies which accrue under this title for one or more of the following purposes.

And following that is barter, which is one of those purposes.

The CHAIRMAN. The Chair would like the gentleman from North Carolina to comment on this question. Do we not acquire foreign currencies which belong to this Government, which we receive for selling commodities?

Mr. COOLEY. Certainly, we are acquiring foreign currencies, and the act provides for the use of those currencies by the President of the United States. One of the uses that he can use them for is (c) to produce military equipment, materials and so forth and services for the common defense.

The CHAIRMAN. The point at issue is whether the funds can be used without a further appropriation by the Congress.

Mr. COOLEY. Yes, Mr. Chairman, that is the question. But the point is, as I have pointed out, that the funds have already been appropriated and have already been used largely, and this act itself authorizes the increase of the authorization, but it does not authorize the President to use the foreign currencies or commodities for any purpose foreign to or in addition to the enumerated uses set forth in the act, one of which is to barter.

The CHAIRMAN. The Chair would like to inquire of the gentleman from North Carolina [Mr. COOLEY] if all the currencies previously acquired have been used by this Government.

Mr. COOLEY. They have been obligated. To the exact extent, I am not sure, but practically all of them have been obligated but not actually used. They are covered by gentlemen's agreements, some of which have not been fully consummated.

I would like to emphasize one point, if I may. The point of order is to the effect that we are adding to the enumeration of uses that the President could employ. We are not doing anything of the kind. Under the act we have a right to barter. That is what this provision authorizes him to do. We are only saying that he can barter with this money. The fact of the business is it might be considered a limitation because we limit the use of the money, in that he cannot use it in Korea or North China.

Mr. TABER. If the Chair will permit, this is not barter at all. It is the use of funds. The appropriations having already been established in section 104, that of course can be continued. But to add new money and appropriate money for other purposes that were not allowed in the first bill is beyond the rule, and it constitutes a new appropriation. Therefore, it is subject to a point of order because it comes from a committee other than the Committee on Appropriations.

Mr. CURTIS of Missouri. Mr. Chairman, might I add also that in the committee hearings witnesses testifying on the part of the executive department used as one of their arguments that this would give them additional funds.

Mr. COOLEY. Mr. Chairman, may I add one comment? The gentleman from New York [Mr. TABER] points out that we are adding something to the authority of the President by this amendment in the bill. Actually, I think some of these funds are now used in connection with the school lunch program in Japan. They are being used in other countries in connection with the education of the children of those countries. Certainly we are not adding to the authority of the President. It is rather strange that an objection to giving authority to the President should come from that side of the aisle. I do not think this is subject to a point of order.

The CHAIRMAN (Mr. PRESTON). The Chair is ready to rule. The gentleman from Missouri [Mr. CURTIS] has made a point of order against section 2 of the bill, that this constitutes an appropriation. The bill under consideration by the Committee seeks to amend existing law known as Public Law 480 of the 83d Congress. In the pending bill it is clearly evident that a new activity is being created by the legislation. New authority is being granted in the handling of the foreign credit derived from the sale of commodities. Therefore, in the opinion of the Chair, it constitutes an appropriation. The Chair therefore feels constrained to sustain the point of order.

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Would an amendment be in order that authorized the use of these funds to carry on the lunch program in Japan, which is now being carried on by the use of these funds? That

is the point I made a moment ago, and the purpose of this is to do just that.

The CHAIRMAN. The Chair would pass on such a proposal if and when the proposal is made.

Mr. DODD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DODD. I have an amendment beginning at line 5. Is it necessary for the Clerk to read all of section 3 before I offer that amendment?

The CHAIRMAN. The Clerk should read section 3 before an amendment would be in order.

The Clerk will read.

The Clerk read as follows:

SEC. 3. Section 304 of the act is amended to read as follows:

"SEC. 304. (a) The President shall exercise the authority contained in title I of this act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"(b) Nothing in this act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or Communist China or North Korea."

Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DODD: On page 2, strike out lines 5 through 18, inclusive and substitute in lieu thereof the following:

"SEC. 3. Section 304 of the act is amended by adding the following new sentence at the end thereof: 'Nothing in this or any other act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or Communist China or North Korea, or with any other nation or area which is not a "friendly nation" as defined in section 107 hereof.'"

Mr. DODD. Mr. Chairman, the amendment which I have offered will make it clear that Congress has refused to authorize trade transactions with the Communist world.

It is as simple as that.

I believe that the issue which confronts us is one of the greatest importance. I do not remember many questions which have confronted us since I have been privileged to be a Member of the House which I consider to be equally important.

For we are deciding here today something more than an amendment to the Agriculture Trade Development and Assistance Act of 1954.

We are squarely facing the question of whether or not we have the will and the inner strength and the self-discipline to successfully resist communism.

If we pass this bill as it has been presented to us, we will have taken another step down the easy and comfortable road of complacency and materialism. For this bill asks us to forget all about the basic evil of communism and in a sense to accept it and to do business with it.

In one way this bill is deceptive and in a very real sense it is confusing.

I have listened carefully to the debate and I tried to understand the reasons advanced for its adoption by those who favor this measure.

I think it is accurate to say that the only reasons advanced for adoption of this measure by its proponents are: First, that it will permit us to barter food for strategic material; and second, that since we are willing to give food to the hungry people in the captive Communist countries, it is more sensible to barter it because we get something in return.

With respect to the deception and the confusion in this bill, let me point out that the language of the bill on a first reading would appear to constitute a firm stand against trading with the Communist world.

For the bill as it stands specifically prohibits transactions with the Union of Soviet Socialist Republics, Communist China, and Red North Korea.

This I say is a deception because under this bill the Government of the United States will be authorized to enter into barter relationships with the captive satellite countries which are part and parcel of the Red Russian, Red Chinese, and Red Korean axis.

When a captive Communist satellite is benefited, all of the Communist world is helped.

The confusion of which I speak lies in this: If it is logical and in the interest of the United States to barter food for strategic materials from the captive satellite countries, then it is as logical to do the same with the captor countries, Red Russia, Red Korea, and Red China. And the reverse is logical and true as well.

I deem it to be of great significance that no proponent of this measure has talked about the strategic material which we will obtain from the Communist world under this program.

There have been only vague general references to strategic materials, but nothing specific has been offered.

If this subject has not been discussed in the interest of national security, then we should have been told so by those who advocate this measure.

The silence with respect to this aspect of the debate, I suggest, is ominous.

It sounds more like a poor excuse than a good reason for this legislation.

We do a lot of lip service to anti-communism.

We pass a resolution against the recognition of Red China without a dissenting vote.

We pass a resolution expressing our strong stand against the admission of Red China into the United Nations.

We do these things with a whoop and a holler.

These are good things to do, but they are easy things to do.

But we are really put to the test by the issue which confronts us at this hour.

Today in this House we shall decide whether we shall fall for the blandishments of trade and barter with communism for the material benefits accruing from it or whether we have the character and the self-discipline and the strong will to resist these enticements in the best interests of freedom and justice in the world.

Two years ago I doubt that this measpure would have been presented to this House, and if it had been presented, I think there would have been no doubt at all about its defeat.

But something has happened to us, particularly in the last year, for we have been conditioned by the Communists for the debate in which we are engaged now.

The Communists, for at least a year, have been subjecting us to a program of moral disarmament.

We are ready now to seriously consider barter and trade with our avowed enemies.

We are ready now to strike another blow at the forces of freedom in the world.

We are prepared, I fear, to discourage and dishearten the brave freedom-loving captives of Communist tyranny.

This proposal is but another step down the treacherous road of cynical complacency which leads to disaster.

Mr. Chairman, we are told that we are engaged in a death struggle which presently has the name of cold war.

I believe that we are engaged in such a death struggle; that this is a cold war.

But I never heard of a side that hoped to win any kind of a war giving comfort and assistance to its enemy.

It has been argued here this afternoon that by entering into such a shabby barter arrangement, the United States will gain a propaganda advantage. This is a specious reasoning.

In the first place, anyone who knows anything about the Communist police state knows that the people are deprived of information of this kind.

One of our greatest handicaps in our struggle with the Communists is in this field of information, and I suggest that it is naive to believe that if we barter food with the Communists, the people held under Communist tyranny will be told the truth about the source of this food.

It has been argued that food barter is not essentially different from a gift of food.

Those who so argue ignore the fact that the Communists will gain great prestige and influence from the fact that the free world is willing to do business with them.

This will lend a kind of respect to the Communist tyrants, and they will use it very effectively in their pressure propaganda and in the struggle for the allegiance of men.

There is a vast difference between the people of the United States generously giving food and assistance to the hungry and needy people of the world and barter and trade arrangements between the United States and its avowed enemies.

This difference is self-evident, and it seems to me to be unnecessary to take the time of this House to labor this oar today.

Every person within the sound of my voice knows that there is a difference and no amount of words can make it otherwise.

Perhaps we have forgotten a very fundamental fact in the course of this discussion.

That fact is that every one of these captive satellite countries has been the victim of Communist aggression and Communist tyranny.

In the course of World War II we promised these people that after the war had been won they would be given an opportunity to govern themselves.

This was one of the high purposes for which the free world fought.

But the fact is that every one of these captive countries was seized by force and power by the Communists, and they are occupied today by force and power, and the promises which the free world made have not been and cannot be fulfilled.

The slightest bit of comfort or assistance which we give to the Communist tyrants who hold these people in bondage is in some measure a confirmation of Communist oppression and a negation of our announced purposes.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Texas.

Mr. DIES. The gentleman is making an unanswerable argument. I want to compliment him for it. Will the gentleman tell the House if his amendment will prevent trading with satellite countries?

Mr. DODD. It will, indeed, sir.

Mr. DIES. It ought to be adopted.

Mr. DODD. That is what it is intended for. The people of this country and of the free world are ahead of us. And when they hear what some people have been trying to do here today they will be shaken, distressed, and disturbed.

How in the world can we ask our friends abroad to resist this evil force in the world when they discover that we are willing to peddle needed food to it.

Mr. DORN of New York. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from New York.

Mr. DORN of New York. I agree with everything the gentleman has said and also with the comment made by the gentleman from Texas. But I still do not understand the effect of the gentleman's amendment. Would he explain the whole amendment so I can understand it? Frankly, I hope what the gentleman says the amendment will do it will do.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

(By unanimous consent (at the request of Mr. JUDD) Mr. DODD was allowed to proceed for 5 additional minutes.)

Mr. DODD. Mr. Chairman, this amendment simply makes it impossible to engage in any barter or trade or commercial traffic with any of the Communist-occupied countries, as well as with Communist Russia, Red Korea, and Communist China.

Mr. DIES. It will not prevent gifts?

Mr. DODD. Oh, no; it will not prevent gifts.

Mr. MASON. Does it prevent trade and bartering with the governments of these countries?

Mr. DODD. Yes. The language is "nations."

This amendment simply says:

> Nothing in this or any other act shall be construed as authorizing transactions under title I or title III, Public Law 430, with the U. S. S. R. or Communist China or North Korea, or with any other nation or area which is not friendly nation as defined in section 107 hereof.

Section 107 means any country other than, first, the U. S. S. R.; or, second, any nation or area not dominated or controlled by a foreign government or foreign organization controlling the world Communist movement.

That is what it does. I think that is what so many of us have been trying to get done this afternoon.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Connecticut.

Mr. MORANO. Would that include Yugoslavia?

Mr. DODD. It does not spell out each nation. But, I assume it could very well be considered so.

Mr. COOLEY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Now that the gentleman has explained his amendment, I make the point of order that the amendment is not in order for the reason that the amendment says "this or any other act." No other act of Congress is before the House at the moment other than this act.

Mr. HAYS of Ohio. Mr. Chairman, I make the point of order that the point of order comes too late.

Mr. COOLEY. Let the Chair pass on that. The gentleman was just in the midst of explaining his amendment, and the amendment indicates that he undertakes to put limitations on some other act of Congress. Now, his amendment, of course, is germane to the bill or to the act now under consideration, but I make the point of order that he has no right by this amendment to amend some unknown act of the Congress.

The CHAIRMAN. What is the basis for the point of order that the gentleman is making? Is the gentleman attacking the germaneness of the amendment?

Mr. COOLEY. As it is written, it is not germane to this act, because it is applicable to all other acts.

The CHAIRMAN. If the point of order is based on germaneness of the amendment, it comes too late, because debate has already been had on the amendment. The gentleman from Connecticut has addressed the House for several minutes on his amendment.

Mr. COOLEY. He tried to explain it.

The CHAIRMAN. The point of order comes too late. The gentleman will proceed.

Mr. DODD. Mr. Chairman, I do not care to take more time. I do not know that there is anything more I can say except that this is actually a matter of principle. Here we have an opportunity to say that we are really opposed to this evil force in the world, that we will not be tempted by this kind of an offer, that we will not help communism even if in so doing we get some slight material benefit from it.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Would the gentleman explain what the difference is between the adoption of his amendment and the present law?

Mr. DODD. Yes. It contains words that are not in the bill offered here, and it is intended to do this: It will stop this business of trading with our enemies.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from North Carolina.

Mr. COOLEY. The effect of the gentleman's amendment is to nullify the entire section, is it not?

Mr. DODD. That is right. And, I say this respectfully to the chairman of this great committee—whom I respect and admire—I cannot understand the wording of that section as it is written—and it should be changed.

Mr. COOLEY. My point is, Why not offer an amendment to strike out the section?

Mr. DODD. Well, I think this will do as well. I thought of that. I think this is more clear, and I think it will better express the will of the Congress, and I think it will give the Members an opportunity to vote directly on this important issue. I think that is precisely the point.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Minnesota.

Mr. JUDD. It is not only clear, but keeping that language in will do what the bill is supposed to do. It will reassure people all around the world that the United States does not come in and spend billions of dollars on one hand to help people fight communism and on the other hand assist the very governments we are asking others to resist.

Mr. DORN of New York. Mr. Chairman, if the gentleman will yield, I thank the gentleman for his explanation. It satisfies me, and I hope his amendment is adopted.

Mr. DODD. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to make it perfectly clear that the effect of the pending amendment is to strike out, for all intents and purposes, the section which was drafted and prepared and presented by officials of the State Department and supported by Mr. Dulles, Secretary of State. I think Mr. Dulles thought that he was carrying out at least in part the recommendation of President Eisenhower which he submitted to the Congress on January 9 in his message on agriculture. In that message President Eisenhower advocated the outright repeal of this section. As I said, I have no pride in the provision, but I do not see how it could possibly do any harm, because we can now give the food to the starving people of Poland or to any other of the hungry people in any of the satellite nations. Now, if you can give it to them, you will be strengthening their economy to the extent that food will strengthen the economy of a country. The only proposition here is that Mr. Dulles proposes, in addition to giving them the food, that we barter it to them in exchange for some strategic material that we ourselves can use.

It seems to me that every argument that has been made against this provision can just as well be made against the existing authority which provides that the vital foods might be given away. It is just a question of whether you want to give it to them or whether you want to sell it to them in exchange for something of value to our country.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New Jersey.

Mr. TUMULTY. Under the present law food can only be given if there is a need or a condition of disaster; is that right?

Mr. COOLEY. That is right.

Mr. TUMULTY. They just cannot give it to anybody, just for the sake of giving?

Mr. COOLEY. No. The President determines the need.

Mr. TUMULTY. Yes, but there has to be a need?

Mr. COOLEY. Yes. And we assume that there is a need or the officials in the executive branch of the Government will not make the offer.

Mr. TUMULTY. But it is not as the gentleman has stated that the present law is such that the Government could give the food regardless of need, just as a matter of policy.

Mr. COOLEY. No, the Government cannot do that. Furthermore, under this provision, the Secretary of State or some other official of the Government will first determine that the barter transaction will not strengthen the war potential of the recipient nation.

Mr. TUMULTY. There has to be a showing?

Mr. COOLEY. There has to be a showing, yes. It further contemplates that someone negotiating the agreement pertaining to the barter transaction write the conditions of the transaction, one of which very easily could be that the food that we are making available shall be earmarked and identified and followed to its ultimate consumption. It might even provide that the Polish Government or other governments with which we would be dealing would agree to permit commissions of Americans to go there to supervise the distribution.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. DONOVAN. Am I to understand that the gentleman says that the law at present gives authority to the executive department to barter or sell to these countries, if they want to take a chance with them?

Mr. COOLEY. No. It gives them the right to sell for local currencies in any of the countries, and to give the food away any place in the world where it is needed on account of hunger.

Mr. DONOVAN. So that this bill, if passed, would be giving congressional approval to that; is that correct?

Mr. COOLEY. No; the existing law, which of course was passed by Congress, known as Public Law 480, gives the right to barter under certain conditions and to give away and to sell for local currencies. But under the present law they have no right to barter with unfriendly nations. This would give the right to barter with unfriendly nations in exchange for strategic materials.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Is it not correct that it is virtually impossible for our Government to handle this food so that it will reach the people? I say that because after the First World War the Hoover Relief Commission which went to Russia was not permitted to distribute the food to the people on the basis of need and for this reason the Commission left Russia. The same condition obtains at the present time.

Mr. COOLEY. I can agree with the several gentlemen that we are facing difficulties. But again I say that the argument that the gentleman has just made may very well be made against the authority which now exists. I think it is very difficult to say that the food shall be earmarked so that the recipient will know where it came from.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. JUDD. I think it is very important to be clear on this. The implication has been made several times that the President can now give our surplus foods to unfriendly nations or to the satellite nations or wherever he wants to. That is not the law. Under title II he can give to "any nation friendly to the United States in order to meet famine or other urgent relief requirements in friendly nations and to friendly but needy populations without regard to the friendliness of their government." We wrote that into the law for the very purpose of making sure that he could not give food to unfriendly governments as you now propose to do.

Mr. COOLEY. We wrote that into the law. That was written into the law by the same committee that drafted and reported this bill.

Mr. JUDD. That is right.

Mr. COOLEY. But we use the term friendly nations and friendly populations.

Mr. JUDD. That is the whole point. The President cannot give such aid to Poland; he cannot give aid to any other Communist government, even if there is dire disaster. Under the present law he can only give it to the friendly populations of such countries, as he offered to do the other day, through the Red Cross. My contention is that we do not need to and ought not to give him the authority to barter with unfriendly governments when he now has the authority to give to their needy populations.

Mr. COOLEY. Is the gentleman saying now Mr. Dulles had no right on behalf of our Government to offer food to the Polish people?

Mr. JUDD. No, I am not saying that. I am saying quite the opposite. He did offer it to the Polish people despite the unfriendliness of their government. That is the policy we have had for 2 years. It is beginning to get results. Let us stick to that policy and not weaken it or retreat from it at this time.

Mr. POAGE. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I want to explain a matter that has now been raised twice by the gentleman from Minnesota. The gentleman points out that present law states that we can give food to friendly but needy people regardless of the friendliness of their government provided there is need in the country. He then seems to insist that there is no pressing need or emergency so far as food is concerned behind the Iron Curtain.

To emphasize the point I want to make, it seems to me that the gentleman from Minnesota must have a much higher regard for the efficiency of communism than I ever held, if he has the slightest idea that there is not continuous and perpetual want behind the Iron Curtain. I have always been led to believe that the populations of the satellite countries as well as of the Red countries themselves were in desperate condition. It seems to me the outbreaks in Poland recently rather clearly support that belief that there is substantial hunger in Poland and in other satellite countries today. Surely, conditions behind the Iron Curtain are such as to meet the requirements of the existing law to authorize the President to make gifts of food.

There are behind the Iron Curtain something like three-quarters of a billion people, some 4 or 5 times as many people as there are in the United States. The gentleman assumes that communism is caring for the wants of those people. I do not assume anything of the kind. I think it is perfectly clear that the want that is required by the present law as a criterion for giving away foods exists, and exists in large measure and to such an extensive degree that it would be utterly impossible for the United States ever to supply all of the needs of the people behind the Iron Curtain for an adequate diet. Consequently I repeat what I said some time ago, that under the present law the President of the United States has the power to practically clear out the warehouses of the Commodity Credit Corporation—to give all of our surpluses to the people behind the Iron Curtain, and that the only change this amendment would make in the present law is that he could ask for something in return if those people have something that we would like to have, whereas under the present law he cannot even ask for anything in return.

How impractical can you get when you suggest, "Oh, it is all right to give to these people, but we must not ask anything in return"? We of the Agriculture Committee are accused of bringing in some idealistic and rather visionary proposal. This committee has at least brought to you a sound proposition—a bill under which we will try to get something for what we are giving away. That is all that is involved before this House this afternoon. Do you want to continue a policy which authorizes us to give away almost everything we have in the CCC warehouses, or do you want to so amend

the law that the United States can at least try to get something in return?

Mr. JUDD. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I am utterly at a loss to understand how the gentleman from Texas or anybody else could have gotten the impression that I am suggesting there are not severe food shortages in the Communist countries. I have said several times that they do exist and that this is the Achilles' heel of the Communist movement. This is the one way by which enslaved peoples have demonstrated they can and that they have the will to weaken the governments over them. They have plenty of good land and good weather, yet they systematically do not grow enough, beyond what they need themselves, to supply the nation's needs. The industrial workers, the proletariat, those without property, the Communists can control. That is why they always preach the dictatorship of the proletariat. They can control the proletariat because the latter has nothing except the wages they get on Friday or Saturday night. They do not have a garden, or a few chickens or a pig. They do not have any extra grain put away under the floorboards. They cannot resist the power of their despotic governments because they do not have anything to fall back upon.

But while the individualistic and decentralized peasant grows enough to keep his own family alive, he finds ways not to grow enough more to supply the hated agents and armies with the fat of the land, and those in the government bureaus, the tyrants at the top.

My argument this afternoon is that our President ought to have authority to give to needy populations, no matter how evil or unfriendly their government, when he can be sure that the assistance will go to those people. But it is self-deceiving and self-defeating for our Government to barter and trade with Communist governments and put into their hands, no matter what we get in return, the two essentials that they need above everything else—respectability and food. For it would enable them to use that food as a means of coercing into total and absolute subjection the people who are today trying to overthrow the tyranny.

Mr. Chairman, I have come before this House, I do not know how many times, to urge that we appropriate more money to carry on the mutual-security program around the world. I do not see how I could keep silent, no matter by how close a friend of mine a proposal is made, when that proposal, in my opinion, would enormously strengthen the very enemy that I have urged all of you here to vote billions of dollars to try to defeat.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HAYS of Ohio. I would like to point out too, in support of the gentleman's argument, it is one thing that has not been touched on, the fact that they say the President can give this away but any time he has offered it, they have not accepted it.

Mr. JUDD. That is true.

Mr. HAYS of Ohio. And that has been because he has insisted that we have some supervision to see that it gets to the people and that the people know it comes from the United States. But, if they can barter this stuff, the Polish Communists or the Czech Communists or any others can take it and label it as their own, and they can tell the people, "This is what the Polish regime has produced for you." And it will strengthen their despotism.

Mr. JUDD. Certainly, actually, the program that we have had for 2 years has worked well. It has given good results. They are in trouble. Why in the world should we give up a winning formula at the very time that it is producing the result we want?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. COOLEY. The gentleman's argument against the pending amendment could be very well made and just as well made against the present law.

Mr. JUDD. I am arguing for the pending amendment, not against it.

Mr. COOLEY. Yes; I meant to say the pending provision in the bill.

Mr. JUDD. The gentleman refers to section 3.

Mr. COOLEY. If food will strengthen their economy and increase their war potential, it does not make any difference whether we give it or sell it or whether it is obtained through barter.

Mr. JUDD. Oh, there is a world of difference.

Mr. COOLEY. I cannot see that. I wish the gentleman would clear that up and tell us what is the difference.

Mr. JUDD. Because under present law, food can be given only to the people in the satellite countries; in the new proposal our Government would furnish the food by barter to the governments. One helps the victims; the other helps the tyrants.

This is a struggle involving more than calories and more than guns. It is a struggle for the souls and hearts and minds of men. We are trying to win the confidence of people. For us to get food to the people may make them a little stronger. I want the hungry, needy people to be stronger; but I do not want to make stronger the Communist regimes over them. I want rather to strengthen the will and capacity of the people to fight the Red regimes. When you barter with their government, you strengthen the regimes—you do not help the people.

Mr. COOLEY. Suppose we can put an amendment in the pending bill directing our administrators to mark and to guard and to supervise the delivery of the food. Would the gentleman still be for it or against it?

Mr. JUDD. Of course, I would not be for it, because if we barter our food in exchange for their strategic materials, how can we require them to let us supervise the handing out of their food—they will have bought it; it is theirs.

Mr. COOLEY. You do not require it. Any barter transaction must have conditions written into the document. The gentleman knows that.

Mr. JUDD. Does the gentleman seriously believe the Communists would give strategic materials to strengthen us and then take our food and pass it out in such a way that we would get the credit for it, and not they?

Mr. COOLEY. Would the gentleman accept an amendment which would make it absolutely imperative and necessary that all of the food be earmarked and the delivery of it be supervised by an American commission? Would the gentleman not be for the provision with those safeguards?

Mr. JUDD. Certainly, I would not, because I would not want to do anything that would strengthen my enemy.

Mr. COOLEY. The gentleman just does not want us to get anything in exchange for what we give away.

Mr. JUDD. That is not the point. I do not want to strengthen my enemy. I do not think that we could possibly get enough strategic materials to balance the harm that would come from strengthening and building up and giving respectability to these tyrannies.

Mr. DIES. What the gentleman really believes is that you cannot do business with the devil.

Mr. JUDD. Of course, you cannot do business with the Communists. They live to isolate and destroy my country. To me the first requirement for survival is to be able to distinguish between one's friends and one's enemies. The division is quite simple. I am willing to support whatever will strengthen our friends and weaken our enemies. I must oppose whatever builds up any enemy of my country. It is as simple as that.

Mr. COOLEY. I want to compliment the gentleman and pay tribute to him, and say that you have been very forthright and frank and honest in giving your opinion on the subject under discussion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOPE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it might be wise to consider for a moment what this amendment would do. The principal, if not the only effect, would be to prevent barter transactions with satellite countries behind the Iron Curtain. The fact is that we are doing considerable business with these countries now. The gentleman from Iowa [Mr. GROSS], told us how much pork we are getting from Poland. The President has made offers to give them food without taking anything in exchange. The only issue, as I see it, that is involved is whether we want to give the State Department the authority to make an offer to the Communist satellite countries, that will protect our interests and at the same time give us an opportunity to outmaneuver the Communist governments in these countries.

It seems to me that if we adopt this amendment we are tying the hands of our State Department to go out and set up situations which might have the effect of undermining Communist regimes behind the Iron Curtain, which may have the effect of building up dissension and discord between the people and their governments. I am in favor of

giving our State Department and the administration all the authority they can use in making the best possible use of that great strategic weapon, our abundant food supply. I would not offer them a deal that would permit these governments to take advantage of us, but what I would do would be to offer them a deal that would provide that these goods must be distributed directly to the people of Poland, under the supervision of the United States or some agency it designated. They could take it or turn it down.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. FEIGHAN. Is it not true that it is not going to be the State Department or the United States Government officials who will make this barter trade? The surplus commodities will be sold to individuals, partners or corporations, and they will make this barter deal.

Mr. HOPE. However it is done, the conditions certainly will have to be agreeable to the State Department.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Connecticut.

Mr. MORANO. The statement has been made here that food would strengthen any satellite government. Is it not true that the State Department made a direct offer to the Polish Government to give food to the Polish Government for distribution to its people?

Mr. HOPE. That is true.

Mr. MORANO. And it was turned down. If that would have strengthened the satellite government does not the gentleman suppose they would have accepted it?

Mr. HOPE. Certainly.

Mr. MORANO. Furthermore, if we permit the Secretary of State to make an offer based on conditions that he would lay down, would not that be a better bargaining point than just giving it to them?

Mr. HOPE. Certainly; I agree with the gentleman 100 percent, and that is the whole issue that is involved here.

Mr. RABAUT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I know what the situation is here on the floor, but I am taking this time to announce that I intend to propose an amendment. I am interested that the needy have food. We are talking about governments, we are also talking about weakened people. Others say if they are in a weakened condition they will rise again. No, they will be too weak for anything but to fall in their tracks.

My amendment would be to page 2, line 14, after the period insert the following:

> In carrying out the purposes hereof the President shall designate persons or organizations as representatives of the United States to assure that the benefits hereunder are made available to needy persons in the countries with which agreements are consummated.

That puts it in the hands of organizations such as the Red Cross, or such as the President would wish to designate; In other words, we would have teams supervising the distribution of food to the needy where we want it to go.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield.

Mr. COOLEY. I would like to see a copy of the gentleman's amendment.

Mr. RABAUT. I will be glad to give it to the gentleman.

Mr. Chairman, I yield back the balance of my time.

Mr. COOLEY. I do not think I will have any objection to it.

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HAYS of Ohio moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HAYS of Ohio. Mr. Chairman, this is not a pro forma amendment; I am serious about it. I think this is the way to dispose of this bill once and for all, and I hope the amendment will be adopted.

There has been a lot of discussion about this; as a matter of fact, the gentleman from North Carolina wanted to know if we would accept an amendment which would require these foodstuffs to be packaged and labeled to let the people behind the Iron Curtain and in the countries where we propose to send it, know where it is coming from.

I differ with the gentleman from Minnesota [Mr. JUDD]; I would accept that amendment because that amendment would kill the bill just as certainly as the amendment I am offering will kill it.

Why was it Poland did not accept our offer to give food to the people? It was because our offer had some strings tied to it that the Polish people would have to know from whence the food came. The Communists are not going to accept any offer to give them food or to barter them the food or to let them buy with their own currency or counterfeit currency, as far as that is concerned, if there is any provision in there that their people have to know where the food came from.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Connecticut.

Mr. MORANO. Then what danger is there in the amendment proposed by the committee? If the Secretary of State or any other agency is going to set down rules, they certainly are not going to say it came from China.

Mr. HAYS of Ohio. I think the gentleman has a point. He and I are in substantial agreement. The only difference is that the committee has not offered the amendment, and I do not know how much longer we will have to wait for the committee to offer the amendment. The gentleman agrees with me that that amendment will kill the bill. So why not just dispense with the bill now by striking out the enacting clause because you cannot do business with these Communist governments under any proposal of letting their people know that the free world is interested in their enslaved people. The minute the people behind the iron curtain in Poland or in Czechoslovakia, or in Hungary or any other country believe that the United States in interested in them to any extent at all, that Communist government is going to become more and more shaky. The only thing we are going to do if we pass this bill is to allow those countries to propagandize their people and say: "Look, the United States is willing to do business with us, the United States is giving stature to this Communist government, the United States is recognizing that we are the government of the people; the United States says that we are the legal government and you better sit down and pay attention to us."

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Connecticut.

Mr. DODD. That is precisely the point, the difference between barter and gift. I did not have the time to talk about that. We are giving it to them, they say, why not get something back. But when you get into the business of trading with them, you give them prestige, you give them influence so that they can use that for propaganda purposes on their people.

Mr. HAYS of Ohio. The gentleman is exactly right. His argument is very strong. I would even forego his argument if I thought there was one chance of any of this food getting to the people who need it, but whether you barter it, whether you give it to them, whether you accept counterfeit money for it, the people are not going to know where it came from.

Mr. MORANO. The gentleman made the statement this amendment will give them perstige and this bill will give them prestige. The gentleman knows they have diplomatic representatives right here in Washington, so I do not see how we are giving them any extra prestige by this.

Mr. HAYS of Ohio. The gentleman is right as far as he goes. We have given them too much prestige altogether and I say we should not add to it by this bill because there is not going to be any good come of it. It is going to be a thing we will hear a lot about. It is going to weaken the desire and resolve of our own people in the United States to stand firm against these vicious, despotic governments which have blood-stained hands, which rule by force, murder, pillage and torture their own people and I do not think we ought to do anything to help them.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. I think the gentleman from Ohio is right. It does not make any difference whether we have United States stamps all over the food, it will still go to the government controlled by the Communists. They will go out to their people and say: "Here is something from these suckers, but if you will stay with us we will give it to you." It is just like the old UNRRA.

Mr. HAYS of Ohio. The gentleman is right. It does not make any difference if we stamp our name all over it, they will put it in new bags, they will have the

people believe it came through the Communist government and they, the Communists, made it possible.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. VORYS. Mr. Chairman, I rise in opposition to the motion to strike the enacting clause and in opposition to the pending Dodd amendment.

Mr. Chairman, the question involved here is what is the best way to use our food surpluses as a weapon in the cold war. Under the Battle Act, which is our fundamental act on this general question of Iron Curtain trade, and under this law, we can sell food now for dollars to the Iron Curtain countries, or we can give it to them. This merely gives us one other possibility, the possibility of barter. I helped to write the Battle Act, and one of its three purposes is: "To assist the people of the nations under the domination of foreign aggressors to reestablish their freedom." At the time of the Battle Act in 1951 there were many people who proposed that, since food is strategic, everything is strategic in a cold war, the carrying on of any trade at all between the Iron Curtain countries and ourselves and countries we are associated with should be forbidden. Then we found out that a lot of the countries of Europe and elsewhere had to rely on nonstrategic supplies, food, timber, coal, and so forth, from behind the Iron Curtain, and that we would either have to boost up our aid programs or permit the continuation of nonstrategic East-and-West trade, unless we wanted those countries to collapse. So, that is the basis on which the Battle Act is drafted. Therefore, agricultural commodities are available for dollars behind the Iron Curtain and they can be given there. But, here is a proposal that we enter into possible barter deals, and here is the way the Secretary of State describes what we are going to do. He does not say, as some of the previous speakers seem to imply, that we are going to do it in a way to add prestige to these governments which we detest. Here is what Secretary Dulles says, and I quote from page 10 of the report:

> The peoples of these countries are frequently plagued with food shortages and dietary deficiencies. I believe that it would be helpful if they could know, in a concrete and dramatic way, of the bountiful fruits of a society of freedom, which free nations share on a normal basis.

Then he goes on to say:

> The suggestions we make do not relate to trade with the Soviet Union itself nor do they relate to the establishment of a normal pattern of trade with the Soviet satellites which might serve either to strengthen the war potential of the Soviet bloc or to entrench the present order in relation to the satellite countries—an order which President Eisenhower and I have repeatedly said, to the Soviet rulers themselves, ought to be changed in the interest of peace and justice.

That is what this is going to be used for. If you think the Secretary of State and the President are going to back up on what they have said is their purpose in using this authority, then you will vote to scrap this bill, and vote for this amendment. If you think it is time that we confront the Soviets and their satellites when they claim they have a new look and want to have new friendly relations, and say: All right, now here is what we are willing to do; trade some food, provided you distribute it fairly, and let your people know where it came from; then you will vote down this amendment. Then they either accept it on the basis which does what President Eisenhower and Secretary Dulles want to accomplish, or they refuse it, and we will let their people know through the Voice of America and other ways on what basis we have offered it. That is why I am opposed to the pending motion to strike out the enacting clause as well as to the pending amendment.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Kansas.

Mr. HOPE. If we strike out all after the enacting clause, that means that we strike out the entire bill and stop this entire program of surplus disposal, does it not?

Mr. VORYS. If we strike out the enacting clause we kill this beneficent program which would add a $1.5 billion more for disposal of agricultural surpluses. We strike out the part that adds $1.5 billion for this program, which has made a dent in our surpluses and demonstrates, as the Secretary of State says, the bountiful fruits of a society of freedom which free nations share on a normal basis.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Funds have already been exhausted 10 days ago.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Ohio [Mr. HAYS].

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 21, noes 80.

So the motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. DODD].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 81, noes 53.

Mr. HOPE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DODD and Mr. COOLEY.

The Committee again divided; and the tellers reported that there were—ayes 92, noes 62.

So the amendment was agreed to.

Mr. DONOVAN. Mr. Chairman, this afternoon an attempt was made to drive an opening wedge and start trade and barter with Red China and the satellite nations by using our staggering agricultural surpluses as the wedge. Section 3 of H. R. 11708 before the House today would permit barter and sale of surpluses with Red China and satellite countries. The House rejected the proposal by adopting the Dodd amendment which specifically forbids such barter and trade. I supported the Dodd amendment. Yesterday an editorial appeared in the New York Daily News. It is an admirable statement of the reasons why the United States should avoid any kind of trade at this stage with the Reds.

RUSSIA: EXPERT TESTIMONY

The West has numerous experts on communism, and several times as many persons who think they are experts. If you're looking for a top-flight expert on the subject, and on dictatorship in general, you can do a lot worse than to consult Generalissimo Francisco Franco, ruler of Spain.

In the bitter 1936–39 Spanish Civil War, Franco fought Communists who had been trained and were largely directed by Red fighting men from Russia.

He learned a great deal about Red strategies, tactics and tricks. Since his victory in '39, the "Gissimo" has managed Spain largely by dictatorial methods, and has kept the Communist conspiracy pinned down.

Franco, then, should have some pretty useful ideas on the meaning of the Kremlin's new look—the smiles, the trips abroad by Red big shots, the endless chatter about peace and aid for backward countries, and the yells of "Stalin was a ringtailed so-and-so" which go to make up present day Soviet foreign policy.

These thoughts occurred recently to Harry F. Byrd, Jr., son of the eminent Virginia Senator and publisher of a couple of Virginia newspapers. Mr. Byrd wrote to Franco and asked his opinion on the new Soviet look. In reply, he got an impressive letter setting forth the Spanish dictator's views in detail. Byrd printed the letter in his newspapers.

Briefly, General Franco is not convinced that the new Kremlin policy is sincere, peaceable, or anything else Khrushchev, Bulganin and their cronies say it is.

Franco says that if all had been serene in Russia, Khrushchev and his pals needn't have cut loose with their campaign to make a devil out of Josef Stalin, whom they had helped make a demigod while he lived. They could have gone along doing reverence to his memory, thereby keeping Communists inside and outside Russia quiet and as happy as these people who live on hate can ever be.

AFRAID OF THE SLAVES

Instead, the present Kremlin bosses turned on Stalin's name and fame, and are currently describing him as a heel in spades-plus. By so doing, they have set Communists in a frenzy everywhere, and have weakened the party in all countries except possibly Russia itself. Why did they do it?

They felt forced to it, says Franco, "because somebody is attacking and attacking strongly." Nobody is attacking Russia from the outside. Therefore, this attack must be coming from inside the Red slave empire.

The recent uprising in Poznan, Poland, and the persistent reports of widespread unrest in Czechoslovakia, Hungary, and East Germany bear out this theory.

As Franco sees it, the Kremlin Reds are fighting for time to save their own hides from the wrath of their slaves. If they can do that, they will later renew their drive to enslave the entire world.

If Franco is right (and he is by no means the only Westerner who sees the new Kremlin look this way), then it follows that here is a golden opportunity for the West to score heavily in the cold war, if not to win it. The obvious strategy would be to let the enemy stew in his own juice.

Instead of expanding trade with the Red Empire, our side could tighten its embargoes and enlarge its no-sales lists of specific goods.

WHAT WE COULD BUT DO NOT DO

We could refuse to receive delegations of Russian farm or building experts, or Russian musicians and actors, or Russian anything else.

Conversely, we could decline to let the Kremlin murderers build prestige at home

and abroad by entertaining or having their pictures taken with prominent Westerners, such as President Eisenhower, British Prime Minister Eden, French Premier Guy Mollet, et al.

If the United States wanted to get really tough, it could withdraw its recognition of Soviet Russia, extended by F. D. Roosevelt in a fit of idiocy in 1933.

Up to now, the West is using none of these devices for letting outraged human nature take its course inside the Red Empire. On the contrary, Western leaders in the main seem bent on helping the Kremlin gang save itself.

All of which leads some people on this side of the Iron Curtain to wonder uneasily what's going to happen to the West in this cold war, after all.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. McCORMACK: On page 2, after line 18, insert the following:

"SEC. 3. That it is the further purpose of this act to assist the United States cotton textile industry to reestablish and maintain its fair historical share of the world market in cotton textiles so as to (1) insure the continued existence of such industry, (2) prevent unemployment in such industry, and (3) allow employees in such industry to participate in the high national level of earnings.

"SEC. 4. (a) In order to carry out the purposes of this act the Secretary of Agriculture is authorized and directed to make available to textile mills in the United States during the fiscal year ending June 30, 1957, and each of the 4 succeeding fiscal years not less than 750,000 bales of surplus cotton owned by the Commodity Credit Corporation at such prices as the Secretary determines will allow the United States cotton textile industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952. Cotton shall be made available to a textile mill under this act only upon agreement by such mill that such cotton will be used only for the manufacture of cotton products for export.

"(b) The Secretary shall announce, not later than September 1 of each year for which surplus cotton is made available under this act, the price at which such cotton is to be made available and thereafter for a period of 30 days shall accept applications from textile mills for the purchase of such surplus cotton. In the event the quantity of cotton for which application is made exceeds the quantity of such cotton made available for distribution under this act, the cotton made available for distribution shall be distributed pro rata among the eligible mills making application therefor on the basis of the quantities of cotton processed by such mills during the 3 calendar years preceding the year for which such distribution is made.

"SEC. 5. The Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

"SEC. 6. No person shall sell or offer for sale in the United States any product processed or manufactured in whole or in substantial part from any cotton made available under this act. If the Secretary of Agriculture determines that any person has knowingly violated the preceding sentence, such person shall not thereafter be eligible to receive any cotton under section 2 for such period, not in excess of 3 years, as the Secretary of Agriculture shall determine. Any person who knowingly violates the first sentence of this section shall be liable to the United States in an amount equal to three times the amount paid for the cotton used in the product sold or offered for sale in violation of such sentence when such cotton was transferred to a textile mill under section 2. The Attorney General may bring civil actions to recover amounts which are due the United States under this section."

Mr. FORD. Mr. Chairman, I was on my feet at the conclusion of the reading of the amendment by the Clerk, and I would like to suggest and I do, that a point of order rests against this amendment. It is not germane to the bill.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. FORD. I do make the point of order.

Mr. McCORMACK. Mr. Chairman, would the gentleman reserve the point of order?

Mr. FORD. I will be very glad to reserve the point of order to permit the majority leader to proceed.

The CHAIRMAN. The gentleman reserves the point of order.

The gentleman from Massachusetts [Mr. McCORMACK] is recognized.

Mr. McCORMACK. Mr. Chairman, as far as I know I have no textiles in my district. It is a well-known fact that the American textile industry, which is one of our most important industries, is in a bad way. I am sure argument is unnecessary to establish that fact. The question we should pass upon and determine is what action we can take to give equitable consideration to this important activity which affords employment to tens of thousands of our people. It seems to me so far as the merit of the amendment is concerned that the argument is overwhelmingly in favor of the amendment. I am not going to go into any further argument because the facts are so clear and indisputable that if the amendment were before the House, I think each and every Member has a clear picture of the necessity that action of this kind be taken. It is a problem confronting textiles not only in one section of the country, but in all sections of the country, and is a basic problem. The amendment is a fair one. It helps agriculture in that it helps to solve some of the problems in connection with surplus cotton. Something has to be done for American textiles and an amendment of this kind is a step in the right direction, and it would not disturb our international situation. But, at the same time, it would be of invaluable assistance to the American textile industry. As I said, I do not have one textile mill in my district, but I am interested in the problems of the American textiles in all sections of the country. Up in New England, it is not a question of the textile industries moving south, but it is a question of the textile industries going out of business because they are unable to compete with the sharply increased imports from other countries.

Heretofore we have given other countries a decided advantage in the equalization fee. While there was an order just recently issued by the Secretary of Agriculture so that American textiles can purchase at the same price as foreign countries, nevertheless some compensatory consideration beyond that must be given in order for our great textile industry to exist.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GROSS. I wonder if the gentleman would have any objection to my offering an amendment to his amendment to provide cutting off Polish hams and Czechoslovakian hams from coming into this country.

Mr. McCORMACK. Let us not get into that insofar as this is concerned at the present time.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GREEN of Pennsylvania. I congratulate the gentleman for presenting this amendment. I think that all Members of the House realize that the textile industry today is a mighty sick industry. They have suffered under bills that we have supported vigorously, such as the Reciprocal Trade Agreements. I trust the gentleman's amendment will be agreed to.

Mr. McCORMACK. I thank the gentleman. In all frankness to my friend from Michigan [Mr. FORD], I want to concede that the point of order would lie. However, in view of the importance of the problem confronting our American textile industry, I hope my friend will not press his point of order.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes, I yield.

Mr. FORD. I can fully appreciate the serious problem confronting the textile industry in the United States. I have talked with many Members from the North and the South involving that perplexing problem. I specifically feel that there is need for some remedial action, but it does seem to me that it is unwise for us to consider on a bill of this sort an amendment that may have far reaching implications which are not known to many Members, since the amendment has not been considered by the committee. For that reason only I would say to the majority leader that I think this point of order should lie and that I should press it, and I hope that proper legislation by the proper committee would be taken up as soon as possible.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

(By unanimous consent, Mr. McCORMACK was granted 3 additional minutes.)

Mr. McCORMACK. Mr. Chairman, may I say to my friend from Michigan that I thoroughly appreciate his position, and I am the last man in the House to make any comment on any Member exercising his rights under the Rules of the House. The gentleman is exercising his rights under the Rules of the House. On the other hand, in the closing days of the session there will be nothing done, in all probability, unless something like this is done.

I am interested in all segments of the American society and of our national economy, and I know of the tremendous difficulty that our textiles are laboring under, and behind them the tens of thousands of Americans who are unemployed. I did not idly offer this amend-

ment. I took it up with the chairman of the committee and some of the other members of the committee. There is no surprise as far as the ranking members on the committee are concerned. I had hoped that no point of order would be made, so that the House could consider this on its merits because of the urgency of the situation. If the gentleman insists on his point of order, I want the RECORD clearly to show that I respect the fact that under the rules he has a right to do so. On the other hand, in the light of the emergency of the situation, I hope that the gentleman during this little colloquy of ours and the remarks I have just made, will recognize the importance and the urgent situation and will withdraw his point of order and let us consider the amendment and then let it be explored in the other body where they will have time, because if we do not do it now we are not going to do anything this session, as I see it.

Mr. FORD. As I understand, a bill similar to this amendment has been introduced and is before a committee in the other body.

Mr. McCORMACK. That is correct. Might I say there that this amendment is the bill that was introduced in the other body. I consulted with our former colleague, Senator MARGARET CHASE SMITH, who introduced it, before I introduced my bill. I was reading it in the RECORD down in my hotel one night, as I read the RECORD every night. My bill is the same as hers, except I do not believe in emergency legislation in making it criminal if somebody violates it and is subjected to possible criminal prosecution and jail sentence; so I made section 4 civil rather than criminal. I have a lot of respect for our businessmen who have their own and other people's money invested and who are giving employment to Americans and the heads of American families.

So it is the same bill with the exception that the penalty section is changed to civil liability and penalty instead of criminal.

Mr. Chairman, I hope the gentleman will not press his point of order.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(By unanimous consent, and on request of Mr. FORD, Mr. MCCORMACK was allowed to proceed for 3 additional minutes.)

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Gladly.

Mr. FORD. I do greatly appreciate the kind attitude and the understanding point of view the gentleman takes toward my point of order. What disturbs me is this: I have heard concern expressed by many Members about the condition facing the textile industry for some months here. Apparently this emergency is not one that has arisen overnight but is one that has existed at least since January, since this Congress has been in session, and perhaps longer. If therefore the emergency is so acute it seems to me that proper remedial action in the usual course of events through proper committees could have been had, and it disturbs me that now in the closing days of this session we are called upon in this fashion to pass upon matter which may be controversial, which certainly is involved without adequate hearing before a proper committee. Under this situation and without trying to be critical of anybody, I simply say I am constrained to insist on the point of order.

Mr. McCORMACK. I may say to my friend before he makes his final observation that I really think it is now or never so far as any action is concerned. It is a very carefully drafted bill, it is a fair bill; it simply says that for the next 5 years the Secretary of Agriculture can sell to American textile manufacturers cotton to be fabricated for export purposes. The manufacturers file their applications and get their quotas. Not only will it help industry, but it is also going to help agriculture, and certainly it is going to help the American textile industry. That is simply what the amendment is, and if it is not acted upon now I am very fearful that we will not have any action this year.

Mr. FORD. Is it not true, though, even admitting that the bill with which this amendment is identical was drafted with greatest care and by a most competent individual, it does reflect the views of an industry rather than the pros and cons that might be expressed by a different point of view?

Mr. McCORMACK. We are confronted with that same problem all the time in legislation.

Mr. FORD. But when that problem confronts us we have a forum where those who are for or against it have a chance to express their views. In this case that is not so.

Mr. McCORMACK. I may say I was very hopeful that no point of order would be made. Really I thought I had surveyed the situation, of course, not every Member, and I do not mean that any agreement was made but there was a sort of general conversation. I would like to assure the House that I have gone into this very carefully, talking with keymen. I did not consult the gentleman from Michigan.

Mr. FORD. There is no reason why you should have.

Mr. McCORMACK. There is no reason why I should not had I known the gentleman's interest.

I hope the gentleman will not insist upon his point of order.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(By unanimous consent (at the request of Mr. FORD) Mr. MCCORMACK was allowed to proceed for 1 additional minute.)

Mr. McCORMACK. Mr. Chairman, I am really pleading for a very sick American industry.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. Now, here we are coming right back to foreign aid. We have given these foreigners the machinery to manufacture textiles, we have given them the money to teach them how to produce cotton and so forth. Apparently the gentleman wants us to pay again through subsidization of the textile industry in this country. That just indicates the fallacy that exists in connection with every foreign-aid bill.

Mr. McCORMACK. There are certain compensatory considerations that American industry is entitled to. I hope the gentleman will reconsider and not press his point of order. This is a sick industry and it needs immediate relief of some kind.

Mr. FORD. Mr. Chairman, despite my great affection and admiration for the gentleman from Massachusetts, and my awareness of the desperate situation some people say the textile industry is in, I am constrained to insist upon my point of order.

Mr. McCORMACK. Mr. Chairman, admitting that a point of order does lie, I would not ask the Chairman to pass upon it and in view of the fact the gentleman from Michigan insists upon his point of order, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WHITTEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTEN: On page 2, at the end of page 2, add the following subsection:

"(c) The commodities disposed of under this act must be in addition to sales of such commodities in world trade through normal channels at competitive prices or dollars."

Mr. WHITTEN. Mr. Chairman, briefly I would like to explain what is involved here. In the original act it was provided that commodities sold under Public Law 480 for foreign currency must be in addition to our regular sales through normal channels.

The Department of Agriculture offered our commodities at the support level plus reasonable carrying charges, which, in effect, kept our commodities off the world market. So it left Public Law 480 as our only means of moving the commodities. That was contrary to the intent of the Congress in passing Public Law 480. It was intended that we keep our commodities moving through normal channels at competitive prices. I listened to the debate and I supported the bill.

For 3 years we have tried to convince the Department that they should not rely on Public Law 480 where we virtually were giving away our commodities but they should offer our commodities to world trade competitively. After 3 years of argument they have done so. They have sold $525 million worth of cotton since the 1st of January by this means. Yet up until the 1st of January they had not sold any cotton of any consequence, except a few bales that were of extraordinary quality. They have in the last 2 years sold $2 billion worth of commodities.

The point I make here in this amendment is that in figuring what we do under Public Law 480 you shall stay in the world market on a competitive price and

what we sell for foreign currency should be in addition to what we sell on a competitive basis, because unless your prices are competitive you do not sell.

I hope the chairman of the committee will accept my amendment because it is clearly in line. I have tried to draw it in such a way as to not needlessly tie their hands but as clearly pointed out we should stay in the world markets and use this vehicle as an additional means of getting rid of the commodities.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I have no right, on behalf of the committee, to accept the gentleman's amendment, but as I understand the gentleman's amendment, it would not result in changing the law as it is now written, because the law as written contemplates sales in excess of the normal quantity of a commodity that is going into the particular market.

Mr. WHITTEN. I would say to the gentleman that I do not think my amendment would change the basic law but would clearly show that our intent in the law is considerably different from what used to be the position of the Department of Agriculture.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Kansas.

Mr. HOPE. It seems to me there are at least three places in the bill where the matter that the gentleman includes in his amendment is already stated in a different way.

Mr. WHITTEN. That could be, and I am frank to say in a way it is covered, but having had 3 years of experience in trying to get them to carry on on a competitive basis, having worried the House on hundreds of occasions trying to make my point, creating a sales organization within the Department and setting up sufficient money for it, having all that background, I feel that the Congress would be taking a forward step putting this language in the bill where it is not misunderstood, because, believe me, it has been for 3 years.

Mr. HOPE. I am not objecting to the gentleman's amendment, but I think the whole matter is covered in existing legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WHITTEN].

The amendment was agreed to.

Mr. POAGE. Mr. Chairman, I offer an amendment:

The Clerk read as follows:

Amendment offered by Mr. POAGE: Page 2, following line 18, add the following new section:

"SEC. 4. Sales under title I of the act shall be exempt from the requirements of the cargo preference laws (Public Res. 17, 73d Cong. (15 U. S. C. 616a) and sec. 901 (b) of the Merchant Marine Act, 1936 (46 U. S. C. 1241 (bb))."

Mr. POAGE. Mr. Chairman, I submit this just as a proposition of commonsense. If we are going to be sending food abroad to help poor people, we ought not to burden it with extra expense. The present law does burden it with extra expense, and this amendment enables it to get there in the cheapest way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. POAGE].

The question was taken; and on a division (demanded by Mr. POAGE) there were—ayes 30, noes 50.

Mr. POAGE. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: Page 2 following line 18 add the following new section:

"SEC. 4. Sales of fruit and the products thereof from privately owned stocks under title I of the act shall be exempt from the requirements of the cargo preference laws (Public Resolution 17, 73d Cong., 15 U. S. C. 616 (a) and sec. 901 (b) of the Merchant Marine Act, 1936, 46 U. S. C. 1241 (b))."

Mr. MATTHEWS. Mr. Chairman, this amendment excludes from the provisions of the cargo preference laws fruits and their products. It is my understanding, Mr. Chairman, that there are no American flagships at the present time that have facilities for carrying a cargo of fruits and their products. In other words, this amendment is a delimiting amendment to the one offered by the gentleman from Texas [Mr. POAGE]. It is my sincere understanding that there is no particular objection to this amendment.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I am delighted to yield to the gentleman from North Carolina.

Mr. BONNER. Mr. Chairman, I want to have a little clearer understanding of this amendment. It happened that I was not on the floor when the previous amendment was offered. I had more or less agreed to this amendment, but if this amendment is a step in the direction of the previous amendment, I think we can defeat it in the House at the present time.

Mr. MATTHEWS. Mr. Chairman, I want to say this. I have been very sincere and candid about my amendment. I did not know about this other amendment. I want to assure the gentleman that the amendment speaks for itself and that I have no ulterior motives in offering it.

Mr. ROOSEVELT. Mr. Chairman, would the gentleman yield?

Mr. MATTHEWS. I am glad to yield to the gentleman from California.

Mr. ROOSEVELT. I should like to advise the gentleman that I am going to offer an amendment to this amendment in order to overcome the objections which have been voiced. In essence what I shall offer is that if American cargo vessels become available and that is certified to by the Secretary of Commerce, the gentleman's amendment shall not be operative any further.

Mr. MATTHEWS. I shall be delighted to accept the gentleman's amendment.

Mr. BONNER. Mr. Chairman, would the gentleman yield further?

Mr. MATTHEWS. I yield to the gentleman further.

Mr. BONNER. This applies only to fresh fruits, does it?

Mr. MATTHEWS. The amendment says fruits and their products. It would be further delimited by the amount of the products that go to these countries. Please remember that this refers only to the provisions of Public Law 480. There are very few cargoes of fruits and their products going. In fact, I doubt if 1 percent of the total amount of the goods that would be shipped under Public Law 480 would be represented by fruit.

Mr. SHELLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from California.

Mr. SHELLEY. When the gentleman says "fruits and their products" does he construe that to include canned fruit?

Mr. MATTHEWS. No, sir; I do not.

Mr. SHELLEY. Does not the gentleman think that some department might so construe it? Would not canned fruit be a product of fresh fruit?

Mr. MATTHEWS. It is my understanding that this problem has come up only in the case of fresh fruits.

Mr. SHELLEY. Then why does not the gentleman so word his amendment to restrict it to fresh fruit, together with the limitation proposed by the gentleman from California [Mr. ROOSEVELT]? In that case I am sure there would be no objection. But if the amendment includes fruits and their products it might mean fruit in any form and there probably would be opposition to that.

Mr. MATTHEWS. If the gentleman from California [Mr. ROOSEVELT] would add whatever language he thinks would best fit the situation, I should be glad to accept it.

Mr. MILLER of California. Does not the gentleman realize that fruit and their products would include dried fruits? Is it the gentleman's intention to include dried fruits?

Mr. MATTHEWS. No, sir. I do not believe we would find any of that kind of cargo shipped.

Mr. MILLER of California. Would the gentleman be willing to alter his amendment so that it would include fresh fruits only?

Mr. MATTHEWS. As I have indicated, if the gentleman from California [Mr. ROOSEVELT] would cooperate during this colloquy to include the change in the language of his amendment, I should be inclined to accept such change.

Mr. GROSS. Mr. Chairman, would the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Iowa.

Mr. GROSS. Would any of those tankers that slipped through the House the other day be involved in this?

Mr. MATTHEWS. I do not believe so; no, sir.

Mr. HOLMES. Mr. Chairman, would the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman.

Mr. HOLMES. Is it not true that this amendment, as offered, is contained in a bill as it passed the other body?

Mr. MATTHEWS. That is true. It is my understanding that this provision passed the other body. The very able representatives of our great merchant marine agreed to it. That is my understanding. Again, I am trying to be just as sincere and candid as I know how.

Mr. BONNER. Mr. Chairman, would the gentleman yield further?

Mr. MATTHEWS. I yield to the gentleman.

Mr. BONNER. Would fruits and their products include wines and spirits?

Mr. MATTHEWS. Being a teetotaler, sir, I cannot answer that.

Mr. BONNER. I am just trying to ascertain how far the gentleman's amendment would go. Would the gentleman be willing to limit it to fresh fruits?

Mr. MATTHEWS. Yes, sir. As far as the gentleman from Florida is concerned, he certainly would. There are other proponents of this amendment and I cannot speak for them, of course.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. MATTHEWS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from California.

Mr. PHILLIPS. The gentleman said, Would this be confined to fresh fruits? Would the gentleman include in that fresh and frozen fruits, because it is a question of the ability of the merchant marine to handle those?

Mr. BONNER. You can use reefer service for fresh fruits and frozen fruits.

Mr. MATTHEWS. I had that in mind.

Mr. BONNER. Yes, I know that is what the gentleman was referring to.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Washington.

Mr. HOLMES. In the category the gentleman mentioned, fresh and frozen fruits, the reefer service many times includes dried fruits or fruits necessary to be refrigerated in transit.

Mr. HORAN. When we had the triplease bill up recently the matter of fresh and frozen fruits was discussed, and it was explicit that the words "fruit products" would be a little broad in this case.

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROOSEVELT to the amendment offered by Mr. MATTHEWS: Add the words "fresh and frozen" before the word "fruits", and at the end of the proposed amendment eliminate the period, insert a comma, and add the words, "excepting for such shipments as the Secretary of Commerce shall have made a finding that American-flag cargo vessels are available and qualified to make."

Mr. MATTHEWS. I am delighted to accept that amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BYRNES of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this only to make an inquiry of the chairman of the Committee on Merchant Marine and Fisheries. It has always been my understanding that this preference act could come into play only where American vessels were available. If there were not any vessels available, then the Department did not have to pay any attention to that part of the law.

Mr. BONNER. That is correct.

Mr. BYRNES of Wisconsin. That being the case, my understanding here is that we have no American reefer ships carrying the American flag. Is that correct?

Mr. BONNER. Yes; we have American reefer ships.

Mr. BYRNES of Wisconsin. That carry fresh and frozen fruits?

Mr. BONNER. In the Pacific area we have ships capable of furnishing reefer service. As to the South Atlantic coast, I think it is questionable that there are reefer ships available.

Mr. MATTHEWS. It is my understanding that before the war most of the fruits were shipped to the United Kingdom and the Scandinavian countries. It is my understanding that the facilities are just not available now to ship them.

Mr. BYRNES of Wisconsin. That being the case, that there are no reefer accommodations available on the east coast to take care of the situation as far as the Florida oranges are concerned, yet there is going to be shipment of those oranges overseas to Europe, and this provision we are talking about, which says they shall use American bottoms, says they shall use them if they are available. Assume that they are not available, so the point is—what are we worrying about?

Mr. BONNER. Fifty percent of the cargo they could use for this part of the cargo to go in foreign vessels and balance it off with other types of cargoes so as to reach 50 percent.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLER of California. There is a good deal of reefer space or refrigerator space in the so-called berth ships that are carrying this type of cargo from the east coast. Of course, that goes into the 50–50 provision.

Mr. BYRNES of Wisconsin. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS] as amended.

The amendment, as amended, was agreed to.

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Page 2, following line 18, add the following new section:

"SEC. 4. Section 201 of the act is amended by inserting after the word 'urgent' wherever it occurs in said section the words 'or extraordinary'."

Mr. COOLEY. Mr. Chairman, the purpose of this amendment is entirely for the purposes of clarification. There has been some question apparently with regard to the language of the act, section 201, which provides:

In order to enable the President to furnish emergency assistance on behalf of the people of the United States to friendly peoples in meeting famine or other urgent relief requirements, the Commodity Credit Corporation shall make available to the President out of its stocks such surplus agricultural commodities—

And so forth. I propose to insert the two words "or extraordinary" after the word "urgent" as it appears in this particular section in two places. The idea being that there is some question as to whether or not these foods can be used for the relief of refugees except on an immediately urgent basis. There are many of them in the Arab world and other places in the world that are in need of food that we now have in storage. I do not know that there is any objection to the amendment. I have not presented it to the committee, but I present it now, believing that it is in the best interest of the program. I hope it will be adopted.

Mr. Chairman, I would like at this point to compliment the gentleman from Massachusetts [Mr. MCCORMACK] not only for his great interest in all farm legislation and all farm problems and in all bills reported by our Committee on Agriculture, but also I wish to compliment him for his great interest in the welfare of the workers in the textile mills and the operators of the textile mills of our country. The amendment which he offered was not in order. He had discussed it with me and I think he had also discussed it with the gentleman from Massachusetts [Mr. MARTIN], the minority leader. I would like to place in the RECORD for his benefit and the benefit of the Members of the House a press release from the United States Department of Agriculture dated July 12, which indicates clearly that the Department of Agriculture has now embarked upon a program which will be beneficial to the cotton textile people of America and will enable them to better meet competition in world markets. I am under the impression that the proposal submitted by the gentleman from Massachusetts [Mr. MCCORMACK] went very much too far, but certainly the Department of Agriculture has now announced a cotton export subsidy program for cotton and manufactured textiles. I hope it will be successful.

I want to point out further that the cotton-textile industry, while it is facing difficulties, has requested the present administration to use authority now in existing law, section 22 of the Agricultural Adjustment Act of 1938, but that authority has not been used to limit the export or to embargo exports from Japan or other countries.

There was a Japanese gentleman in Washington sometime in the spring. His name was T. Murayama, director of research of All Japan Cotton Spinners' Association, from Osaka, Japan. He was here for the purpose of negotiating

agreements with representatives of our own Government, looking to the imposing of some limitations upon Japanese imports into this country. He could not get an audience anywhere. No official of our Government would talk to him because they did not think they had authority to negotiate with representatives of a foreign government or a foreign textile manufacturers association for the purpose that the gentleman had in mind.

He came to my office sometime about the middle of April, and, after discussing the matter with me, I brought the matter to the attention of the House Committee on Agriculture and the Senate Committee on Agriculture, and we placed in the bill, which became Public Law 540 of the 84th Congress, 2d session, an authorization which authorizes the President to negotiate with these representatives of the Japanese industry, with the idea of limiting imports into our market.

I insert a copy of that act in my remarks:

[Public Law 540, 84th Cong., ch. 327, 2d sess.]

H. R. 10875

An act to enact the Agricultural Act of 1956

Be it enacted, etc., That this act may be cited as the "Agricultural Act of 1956."

AGREEMENTS LIMITING IMPORTS

SEC. 204. The President may, whenever he determines such action appropriate, negotiate with representatives of foreign governments in an effort to obtain agreements limiting the export from such countries and the importation into the United States of any agricultural commodity or product manufactured therefrom or textiles or textile products, and the President is authorized to issue regulations governing the entry or withdrawal from warehouse of any such commodity, product, textiles, or textile products to carry out any such agreement. Nothing herein shall affect the authority provided under section 22 of the Agricultural Adjustment Act (of 1933) as amended.

Mr. COOLEY. If the administration does not use that authority, it is the fault of the officials of the administration. They have in section 32 the power to impose quotas or to limit imports. Now they have it to negotiate agreements. I hope they will start the machinery operating and that we will impose appropriate limitations on imports of Japanese manufactured goods.

I wish to read this letter from Mr. T. Murayama, which he addressed to me in April:

ALL JAPAN COTTON SPINNERS' ASSOCIATION,
Osaka, April 17, 1956.

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture, House of Representatives, Washington, D. C., U. S. A.

DEAR MR. CHAIRMAN: I have just returned to Japan from my all too short visit to your country, and wish to take this opportunity to thank you for the time you gave me in discussing mutual problems relating to Japanese cotton textile imports into the United States.

Your thoughts and suggestions were conveyed to members of the Japanese textile industry, and have been received in the spirit in which they were given. Our members will undertake serious and well-deserved consideration to these proposals shortly.

My personal report stressed the cordiality of my reception in the United States and the generally sympathetic attitude expressed toward the plight of Japan and our textile industry. I found particularly pleasing the understanding which you, and Members of the Congress with whom I was privileged to speak, had of our problems and especially your good will for Japan, good will which I know my colleagues reciprocate.

The spirit of reasonableness which was so apparent in our discussions, I am sure, will result in the resolution of our problems to the satisfaction and benefit of both our countries. We pride ourselves that we can be natural allies in commerce as well as in international relations.

Again, thank you for the kindness you extended me during my recent visit in Washington.

Sincerely yours,

T. MURAYAMA,
Director of Research.

Mr. COOLEY. I also wish to read a statement issued by the United States Department of Agriculture on July 12, 1956:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
Washington, July 12, 1956.

COTTON PRODUCTS EXPORT AID WILL BE EXTENDED THROUGH EQUALIZATION PAYMENTS

The United States Department of Agriculture announced today that assistance in the export of United States cotton products to be shipped on and after August 1, 1956, will be made available through cash equalization payments from the Commodity Credit Corporation to eligible exporters.

On May 21, 1956, the Department announced that the benefits of the previously announced export program for raw cotton would be extended to cover exports of cotton textiles, cotton yarns, and spinnable cotton waste manufactured from American upland cotton. Under the raw cotton export program, sales of cotton from CCC stocks for export on or after August 1 are being made on a bid basis at competitive prices. Including acceptances announced on June 29, sales under this program have totaled nearly 2½ million bales.

Extension of the benefits of the export program to cotton products is designed to protect the competitive position of the domestic cotton industry in relation to sales of cotton products manufactured abroad from American cotton purchased at export prices. The current export sales prices are lower than domestic prices. The equalization payments will be based on the raw cotton content in the products exported.

Detailed operating provisions of the cotton products export program will be developed and announced in the near future.

The Department also announced today that the Commodity Stabilization Service, which will carry out program administration, will establish a special office in New York City to handle the program. This office will receive registration of export sales, take care of necessary inspections, make payments, and handle other administrative details of the new program.

The special New York office, which will be designated as the CSS Cotton Products Export Office, located at 290 Broadway, will be staffed and in operation by the August 1 beginning date for export activity.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. COOLEY] has expired.

Mr. JOHNSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened to the majority leader's interesting discussion of the textile industry and the need for Government help to bolster and give support to a distressed industry; namely, the textile fabrics industry.

There is one place in South Carolina which pointed the way to bring prosperity to the textile industry without the help from the National Government.

Elliott Springs was and is the manager of the Spring Maid Textile Co. located in Lancaster, S. C. Elliott Springs was a noted aviator in the First World War. He flew with the English and has a marvelous record. When he returned from the war he did not want to go back into the cotton fabrics business with his father. Consequently he spent several years in New York and wrote several books which had a ready sale. Later he decided to go back and work with his father in operating the Springs Mills in Lancaster, S. C. He developed some ads designed to show what the Springs Mills could do in the way of making fabrics, and the various uses to which they could be put, including use for clothes, bedding, and other uses. Some of the advertisers and magazines that he called on to place his ads claimed that his style of advertising was too suggestive for their readers. But he did place a few ads that showed these fabrics made into women's clothes. The women shown in the ad whirled around so that some of the underclothing of the women could be seen. The idea was to show just what these fabrics could do in making women who wore clothes of these fabrics look attractive. Some of the companies to which he offered these ads thought they were too sophisticated. A few of them took the ads. Then he continued to use this advertising, and he increased his customers who took the fabrics as shown in the ads.

Soon he had more advertising for his fabrics as clothes or as bedsheets and pillowcases than he could handle, because the output of his factory was not large enough to supply the orders. In other words he conducted a successful advertising campaign and in that manner he developed his business into a successful venture.

He told me in his own words about 2 years ago that inside of 5 years he had every single person selling fabrics in New York and all the magazines in New York that carried their ads asking him if they could buy some of his goods and get more of his advertising. That is the way he developed the fabric industry, just by advertising and showing what could be done. It is a tremendously remarkable record, because of his skillful operations of his textile factories and the use of clever ads to show the persons using the fabrics the many uses to which they could be put.

I think that is the way the New England people can likewise build up their fabric industry. Incidentally, we have quite a large fabric industry in southern California.

(By unanimous consent the pro forma amendments were withdrawn.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not think there are any other amendments to be offered.

Before we finish consideration of this bill I would just like to emphasize that even though the section which authorizes the barter transactions to satellite countries has been eliminated to all intents and purposes, the fact remains that this bill is of vital importance. Our Government, as I said during the debate, has obligated substantially all of the first $1,500,000,000 and in addition has negotiated, we understand, many important transactions which cannot possibly be completed and consummated unless this additional authority is granted which is now provided in section 1 of the bill. I hope therefore no one will vote against the bill now thinking it is a bad or vicious measure, because certainly it is essential to the welfare of all of our people. It is vital to our foreign-aid program and to our foreign policy also that we authorize the increase to $3 billion for the Commodity Credit Corporation, and I hope the bill will be passed and that this program can be carried on and expanded.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Wisconsin. Mr. Speaker, the present administration has on many occasions claimed that it is very much concerned about farmers and their problems. Of course, it is easy to make claims. What really counts are positive actions.

For example, a press release on July 10, 1956, by the Executive Office of the White House announced a date for hearings on a petition relative to proposed restrictions on the importation of baler and binder twine for use by the American farmer and commercial twine and rope consumers.

The petition was presented by the Cordage Institute which represents some of the industrial producers of twines and ropes in the country. Briefly, the petition attempts to establish the claim that the cordage industry is adversely affected by the importation of cordage products, and that the imports constitutes a threat to our national security.

This is an interesting claim, but I do not believe that it has merit. If the petitioners are successful in pressing their claim and imports of cordage products are restricted, then another noose will be tied around the neck of farmers. Baler and binder twine is important to thousands of farmers in the United States. Restricting imports of baler and binder twine will raise the price on both the domestic and foreign product.

I understand that the volume of rope imported into this country is only about 8 percent of domestic consumption. I am sure that the cordage industry is not worried about this small amount of imports. On the other hand imports of baler and binder twine represents about 50 percent of our domestic consumption. This is the melon that the cordage industry is really interested in, and it is the type of cordage primarily used by farmers. Thus, farmers will be the consumers most affected by restriction of cordage imports.

The domestic production of twine has never been sufficient to satisfy our needs in either peace or wartime. In the past Congress was well aware of this situation and it took appropriate action to assure farmers of an adequate supply of baler and binder twine at reasonable prices. In the 1951 session of Congress specific action was taken to remove the duty from baler and binder twine.

Before Congress took this action, extensive hearings were held by House and Senate committees.

However, now we discover that the administration is willing to undo all of the constructive action taken by Congress to assure American farmers a free and unrestricted flow of binder and baler twine. Could it be that the administration is more interested in the profits of a few cordage companies than it is the plight of hard-pressed farmers caught in a farm cost price squeeze? That is the way it looks to me.

Approximately 80 percent of the baler and binder twine is produced by two companies in the United States. The two companies are the Plymouth Cordage Co. and the International Harvester Co. It is interesting to note that the International Harvester Co. has not associated itself with the brief presented by the Cordage Institute. Therefore, the petition is presented to protect or increase the profits of one company.

I question the sincerity of presenting the claim that our national security is being threatened—particularly in view of the fact that our own production of baler and binder twine has never equalled domestic demand. There is only one conclusion to draw: The stage is being set to gouge the farmer again, and the administration is willing to play handmaiden to the gouge.

I protest this action and I hope that other Members of Congress will do the same.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRESTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 11708) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the Act, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken and the Speaker announced that the Ayes appeared to have it.

Mr. DORN of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 389, nays 6, not voting 37, as follows:

[Roll No. 104]

YEAS—389

Abbitt	Church	Hagen
Abernethy	Clark	Hale
Adair	Cole	Haley
Addonizio	Cooley	Hand
Albert	Coon	Harden
Alexander	Cooper	Hardy
Alger	Corbett	Harris
Allen, Calif.	Coudert	Harrison, Nebr.
Allen, Ill.	Cramer	Harrison, Va.
Andersen, H. Carl	Cretella	Harvey
	Crumpacker	Hays, Ark.
Andresen, August H.	Cunningham	Hays, Ohio
	Curtis, Mass.	Hayworth
Andrews	Curtis, Mo.	Healey
Anfuso	Dague	Henderson
Arends	Davidson	Herlong
Ashley	Davis, Ga.	Heselton
Ashmore	Davis, Tenn.	Hess
Aspinall	Dawson, Ill.	Hiestand
Auchincloss	Dawson, Utah	Hill
Avery	Deane	Hillings
Ayres	Delaney	Hinshaw
Baker	Dempsey	Hoeven
Baldwin	Denton	Hoffman, Mich.
Barden	Derounian	Holifield
Barrett	Devereux	Holland
Bass, N. H.	Dies	Holmes
Bates	Diggs	Holt
Baumhart	Dingell	Holtzman
Beamer	Dixon	Hope
Becker	Dodd	Horan
Belcher	Dollinger	Hosmer
Bennett, Fla.	Dolliver	Huddleston
Bennett, Mich.	Dondero	Hull
Berry	Donohue	Hyde
Betts	Donovan	Ikard
Blatnik	Dorn, N. Y.	Jackson
Blitch	Dorn, S. C.	James
Boggs	Dowdy	Jarman
Boland	Doyle	Jenkins
Bolling	Durham	Jennings
Bolton, Frances P.	Edmondson	Jensen
	Elliott	Johansen
Bolton, Oliver P.	Ellsworth	Johnson, Calif.
	Engle	Johnson, Wis.
Bonner	Evins	Jonas
Bosch	Fascell	Jones, Ala.
Bow	Feighan	Jones, Mo.
Bowler	Fenton	Jones, N. C.
Boykin	Fernandez	Judd
Boyle	Fino	Karsten
Bray	Fisher	Kean
Brooks, La.	Fjare	Kearney
Brown, Ga.	Flood	Kearns
Brown, Ohio	Flynt	Keating
Brownson	Fogarty	Kee
Broyhill	Forand	Kelly, N. Y.
Buckley	Ford	Keogh
Budge	Forrester	Kilburn
Burdick	Fountain	Kilday
Burnside	Frazier	Kilgore
Bush	Frelinghuysen	King, Calif.
Byrd	Friedel	King, Pa.
Byrne, Pa.	Fulton	Kirwan
Byrnes, Wis.	Gary	Klein
Canfield	Gavin	Kluczynski
Cannon	Gentry	Knox
Carlyle	George	Knutson
Carrigg	Grant	Krueger
Cederberg	Gray	Laird
Celler	Green, Oreg.	Landrum
Chase	Green, Pa.	Lanham
Chelf	Gregory	Lankford
Chenoweth	Griffiths	Latham
Chiperfield	Gross	LeCompte
Christopher	Gubser	Lesinski
Chudoff	Gwinn	Lipscomb

Long	Philbin	Smith, Miss.
Lovre	Phillips	Smith, Va.
McCarthy	Pilcher	Spence
McConnell	Pillion	Springer
McCormack	Poage	Staggers
McCulloch	Poff	Steed
McDonough	Polk	Sullivan
McGregor	Powell	Taber
McIntire	Preston	Talle
McMillan	Price	Taylor
McVey	Prouty	Teague, Calif.
Macdonald	Quigley	Teague, Tex.
Machrowicz	Rabaut	Thompson, Mich.
Mack, Ill.	Radwan	Thompson, N. J.
Mack, Wash.	Rains	Thompson, Tex.
Madden	Ray	Thomson, Wyo.
Magnuson	Reece, Tenn.	Tollefson
Mahon	Reed, N. Y.	Trimble
Mailliard	Rees, Kans.	Tuck
Marshall	Reuss	Tumulty
Martin	Rhodes, Ariz.	Utt
Matthews	Rhodes, Pa.	Vanik
Meader	Richards	Van Pelt
Merrow	Riehlman	Van Zandt
Metcalf	Riley	Velde
Miller, Calif.	Rivers	Vinson
Miller, Md.	Roberts	Vorys
Miller, Nebr.	Robeson, Va.	Vursell
Miller, N. Y.	Robsion, Ky.	Wainwright
Mills	Rodino	Watts
Minshall	Rogers, Colo.	Weaver
Morano	Rogers, Fla.	Westland
Morgan	Rogers, Mass.	Wharton
Morrison	Rogers, Tex.	Whitten
Moss	Rooney	Widnall
Moulder	Roosevelt	Wier
Multer	Rutherford	Wigglesworth
Mumma	Sadlak	Williams, Miss.
Murray, Ill.	St. George	Williams, N. J.
Murray, Tenn.	Saylor	Williams, N. Y.
Natcher	Schenck	Willis
Nicholson	Schwengel	Wilson, Calif.
Norblad	Scrivner	Wilson, Ind.
Norrell	Seely-Brown	Withrow
O'Brien, Ill.	Selden	Wolcott
O'Brien, N. Y.	Sheehan	Wolverton
O'Hara, Ill.	Shelley	Wright
O'Konski	Sheppard	Yates
O'Neill	Shuford	Young
Osmers	Sieminski	Younger
Ostertag	Sikes	Zablocki
Patterson	Siler	Zelenko
Pelly	Simpson, Ill.	
Perkins	Simpson, Pa.	
Pfost	Sisk	

NAYS—6

Colmer	Garmatz	Thomas
Fallon	Smith, Kans.	Winstead

NOT VOTING—37

Bailey	Gordon	Priest
Bass, Tenn.	Halleck	Scherer
Bell	Hébert	Scott
Bentley	Hoffman, Ill.	Scudder
Brooks, Tex.	Kelley, Pa.	Short
Burleson	Lane	Smith, Wis.
Carnahan	McDowell	Thompson, La.
Chatham	Mason	Thornberry
Clevenger	Mollohan	Udall
Davis, Wis.	Nelson	Walter
Eberharter	O'Hara, Minn.	Wickersham
Gamble	Passman	
Gathings	Patman	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Halleck.
Mr. Patman with Mr. Short.
Mr. Thompson of Louisiana with Mr. Davis of Wisconsin.
Mr. Brooks of Texas with Mr. Clevenger.
Mr. Carnahan with Mr. Mason.
Mr. Burleson with Mr. Smith of Wisconsin.
Mr. Mollohan with Mr. Scherer.
Mr. Gordon with Mr. O'Hara of Minnesota.
Mr. Gathings with Mr. Gamble.
Mr. Bell with Mr. Hoffman of Illinois.
Mr. Thornberry with Mr. Bentley.
Mr. Walter with Mr. Scott.
Mr. Bailey with Mr. Nelson.
Mr. Kelley of Pennsylvania with Mr. Scudder.

Mrs. BLITCH changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for the purposes of title I of the act, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

Mr. TABER. Reserving the right to object, Mr. Speaker, if I understood the request, it was that the Senate bill be substituted.

Mr. THOMPSON of Texas. No. I expect to offer the House bill, just passed, as an amendment.

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, I move to strike out all after the enacting clause in the bill, S. 3903, and insert the provisions of the House bill just passed, H. R. 11708.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 11708, was laid on the table.

The resolution providing for consideration of the House bill was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks prior to the passage of the bill, H. R. 11708.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on July 16, 1956, the President approved and signed bills of the House of the following titles:

H. R. 8228. An act to suspend for 2 years the duty on crude bauxite and on calcined bauxite;

H. R. 8636. An act to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes; and

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina.

NATIONAL POLICY WITH RESPECT TO FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3275, an act to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes, with House amendments, insist on the amendments of the House and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, I would like to know what this bill is.

Mr. BONNER. The Senate passed one bill practically reorganizing the Fish and Wildlife Service of the Department of the Interior. There was great discord among the sports fishermen of the Nation with respect to the Senate bill and some disagreement by the commercial fishermen of America with respect to the bill. The House held extensive hearings, bringing in all parties interested in the subject and worked out a bill that was agreeable to the sports fishermen and to the commercial fishermen and to the hunters of the Nation.

Mr. HOFFMAN of Michigan. Is this the bill where it is proposed to separate some of the functions?

Mr. BONNER. This sets up commercial fishing and a Fish and Wildlife Service that includes in the fish and wildlife sport fishing.

Mr. HOFFMAN of Michigan. I withdraw my reservation of objection, Mr. Speaker.

Mr. MARTIN. The request is merely to send it to conference?

Mr. BONNER. That is true.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. BONNER, Mr. BOYKIN, Mr. KLUCZYNSKI, Mr. TOLLEFSON, and Mr. ALLEN of California.

AUTHORIZING THE POSTMASTER GENERAL TO HOLD AND DETAIN MAIL FOR TEMPORARY PERIODS

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9842) to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 11, strike out "for" and insert "and obtain."

Page 4, after line 4, insert:

"SEC. 2. The provisions of this act shall not apply to mail addressed to publishers or distributors of publications which have entry as second-class matter under the act of March 3, 1879, as amended (ch. 180, 20 Stat. 358; 39 U. S. C. 221, and the following), or to publishers or distributors of copyrighted books and other publications as to which certificate of registration of copyright has been issued under the copyright laws of the United States (title 17 U. S. C.)."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. MURRAY]?

Mr. HAYS of Ohio. Mr. Speaker, reserving the right to object, I would like to know what this bill is about.

Mr. MURRAY of Tennessee. Mr. Speaker, this bill involves mail used for trial purposes, obscene mail or indecent, vile mail going through the mails. It gives the Postmaster General the right to detain such mail for a period of 20 days. Unless he goes to court and files a petition for the purpose of further detention of this material, then the order no longer remains in effect.

Mr. HAYS of Ohio. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BORROWING POWER OF THE COMMODITY CREDIT CORPORATION

Mr. SPENCE submitted a conference report and statement on the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation.

PARTICULAR DESIGNATIONS FOR 14TH STREET BRIDGES

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10947) to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia, with Senate amendments thereto, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs DAVIS of Georgia, WILLIAMS of Mississippi, and BROYHILL.

AMENDING TITLE I OF ACT AUTHORIZING BRIDGE ACROSS THE POTOMAC RIVER

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2568) to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," with House amendments, insist on the amendments of the House, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs DAVIS of Georgia, WILLIAMS of Mississippi, and BROYHILL.

TRANSFER OF ACTIONS TO MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8149, an act to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (par. (a) of sec. 5 of the act of Apr. 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia with the following Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the first sentence of section 5 (a) of the act entitled 'An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as "the municipal court for the District of Columbia," to create "the municipal court of appeals for the District of Columbia," and for other purposes,' approved April 1, 1942 (D. C. Code, sec. 11–756), is amended to read as follows: 'If, in any action, other than an action for equitable relief, pending on the effective date of this act or thereafter commenced in the United States District Court for the District of Columbia, it shall appear to the satisfaction of the court at any time prior to trial thereof that the action will not justify a judgment in excess of $3,000, the court may certify such action to the municipal court for the District of Columbia for trial.'"

Amend the title so as to read: "An act to amend the act of April 1, 1942, so as to permit the transfer of an action from the United States District Court for the District of Columbia to the municipal court for the District of Columbia at any time prior to trial thereof, if it appears that such action will not justify a judgment in excess of $5,000."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PRACTICE OF VETERINARY MEDICINE IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5853) to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 2, insert:

"SEC. 2. Where any provision of this act, or any amendment made by this act, refers to an office or agency abolished by Reorganization Plan No. 5 of 1952, such reference shall be deemed to be to the office, agency, or officer exercising the functions of the office or agency so abolished."

Page 2, line 3, strike out "2" and insert "3."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RESIDENCE AREA OF MEMBERS OF METROPOLITAN POLICE FORCE AND FIRE DEPARTMENT, DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2603) to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside; with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That", insert "(a)."

Page 1, line 9, strike out "shall" and insert "shall, except as otherwise provided in subsection (b) of this section."

Page 1, line 10, strike out "twenty" and insert "twelve."

Page 2, after line 5, insert:

"(b) For the purposes of this act, the Commissioners of the District of Columbia are hereby authorized, in their discretion, to prescribe the area constituting the 'Washington, D. C., metropolitan district' so as to include the District of Columbia and the territory within any radius which is greater than 12 miles but not more than 20 miles from the United States Capitol Building."

Amend the title so as to read: "An act to authorize the Commissioners of the District of Columbia to prescribe the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside."

Mr. MARTIN. Mr. Speaker, reserving the right to object, have these bills been cleared with the gentleman from Illinois [Mr. SIMPSON]?

Mr. McMILLAN. All these bills have been cleared.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMPROVEMENT TO CERTAIN BUSINESS PROPERTIES SITUATED IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4993) to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to business property situated in the District of Columbia, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after "on", insert "(1)."

Page 1, line 8, after "Northwest)" insert "and (2) square 2695, lot numbered 806 (east side of Sixteenth Street between Arkansas Avenue and Upshur Street Northwest), both."

Amend the title so as to read: "An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

LEND-LEASE REPORT — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 413)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith the 37th Report to Congress on Lend-Lease Operations for the calendar year 1955.

During the year under review collections and credits on lend-lease accounts amounted to approximately $47 million.

No further settlement agreements were completed during 1955 but notable progress was made toward reaching agreement with Poland for the settlement of its lend-lease indebtedness. Also, continuous efforts were made to reach agreement with Ecuador on settlement terms for certain overdue "cash reimbursement" postwar lend-lease obligations to the United States.

Most other countries made scheduled payments on account.

These and other matters of interest to the Congress and the public are covered more fully in the report.

DWIGHT D. EISENHOWER.

The WHITE HOUSE, *July 18, 1956.*

(Enclosure: 37th Report to Congress on Lend-Lease Operations.)

DESEGREGATION IN PUBLIC SCHOOLS

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOYKIN. Mr. Speaker, prior to the decision of the United States Supreme Court ordering desegregation in the public schools, which reversed the opinions of that Court rendered over a period of approximately 50 years, the relations between the races in the South were most harmonious and there were practically no racial incidents. The extremists who would change the customs and traditions of the people of the South overnight have done a distinct disservice to the Negro people in the South who had been progressing at a rate far beyond their own expectations. Instead of helping the Negro race, they have retarded their progress.

One must bear in mind that the South was ravaged and her agriculture and economy in ruins after the Civil War. We had no Marshall plan to rebuild our economy. The South pulled itself up by its own bootstraps. We had millions of whites who were ill-fed, ill-housed and ill-clothed. The progress made by the Negro race in the South under our economic conditions and with the cooperation and good will of their white neighbors has been phenomenal.

What those from other sections, who do not or will not understand our racial problems, want to accomplish, is complete chaos in our beloved Southland. What they have so far accomplished is to create distrust among the races where formerly there was trust and mutual understanding and cooperation.

The attitude of the average colored person in my district is well represented in a letter I received dated April 19, 1956, from Mobile, from which I quote:

DEAR CONGRESSMAN BOYKIN: I hear so much about segregation. I would like to express my idea on this subject. I'm colored, with a good husband, a married daughter, and a 17-month-old son. I attend and take an active part in Stone Street Baptist Church. I'm happy in my church, and I, nor any of my friends, want any part of changing our way of life. We want our churches and schools left just as they are. We only ask for equal right to serve God as we please, and to have equal opportunities to work and play. I have friends white and colored that pray that God will direct you, our Congressman, to protect our humble way of life.

Mr. Speaker, these professional politicians who are using the Negro as a pawn would have us undergo a second Reconstruction Era in the South. I was greatly impressed by two articles appearing in the July 20, 1956, issue of the U. S. News & World Report, one entitled, "Was the 14th Amendment Ever Really Ratified," and "The Dubious Origin of the 14th Amendment," which latter mentioned article was written by Walter J. Suthon, Jr., professor of civil law, Tulane University, and former president of the Louisiana State Bar Association.

WAS THE 14TH AMENDMENT EVER REALLY "RATIFIED"?

(Today's segregation issues have a 90-year-old history of bitterness and reprisal which began after the Civil War.

(It is the history of the 14th amendment to the Constitution, basis for the Supreme Court ruling on integration in schools.

(The Southern States ratified the amendment—when Congress held a pistol to their heads. They did so to escape military rule, under a law now generally deemed invalid.

(This era has been called "the second American revolution." Here, in the words of historians, you get the record of how powers of the States first were weakened.)

The 14th amendment, under which the Supreme Court outlawed segregated schools, actually got into the Constitution by a back door. Unwilling Southern States were forced to ratify this amendment before Congress would readmit them to the Union after the Civil War. And the law under which Congress acted to force ratification is generally held by modern historians to have been, itself, unconstitutional.

The amendment, presented on page 55, is designed to guarantee civil rights to Negroes and other persons, to reduce representation in Congress if Negroes are denied the vote, to disqualify former Confederate leaders from holding office, to invalidate Confederate debts and to uphold the validity of the Federal debt. It was drafted in Congress by a joint committee of the House and Senate, known as the Committee of Fifteen, under the control of Representative Thaddeus Stevens, of Pennsylvania, and was approved by Congress in 1866.

All Southern States except Tennessee rejected the amendment, but later they were forced by Congress to ratify it. By this means the necessary three-fourths of the States required to amend the Constitution were mustered.

SETTING THE STAGE

W. E. Woodward, in A New American History, sums up the period as follows:

"To get a clear idea of the succession of events let us review (President Andrew) Johnson's actions in respect to the ex-Confederate States. In May 1865, he issued a Proclamation of Amnesty to former rebels. Then he established provisional governments in all the Southern States. They were instructed to call constitutional conventions. They did. New State governments were elected. White men only had the suffrage. Senators and Representatives were chosen, but when they appeared at the opening of Congress they were refused admission. The State governments, however, continued to function during 1866.

"Now we are in 1867.

"In the early days of that year Stevens brought in, as chairman of the House Reconstruction Committee, a bill that proposed to sweep all the Southern State governments into the wastebasket. The South was to be put under military rule.

"The bill passed. It was vetoed by Johnson and passed again over his veto. In the Senate it was amended in such fashion that any State could escape from military rule and be restored to its full rights by ratifying the 14th amendment and admitting black as well as white men to the polls."

That's the background of the 14th amendment. It was put into the Consitution as a result of the Reconstruction Act of March 2, 1867, which abolished State governments in the South and installed military rule. There is little doubt in the minds of historians that, without this first Reconstruction Act, the amendment would have been rejected.

THE SOUTHERN STRUGGLE

Woodrow Wilson, in his History of the American People, notes:

"Two days after Congress adjourned (July 30, 1866) a New Orleans mob broke up an irregular 'constitutional convention' of Negroes and their partisans with violence and bloodshed. In October, the Southern States, as if taking their cue from the President, not from Congress, began, one after the other, to reject the 14th amendment."

Horace Edgar Flack, in The Adoption of the Fourteenth Amendment, reports:

"Nearly 2 years had gone by since the amendment had been submitted and the assent of the necessary three fourths was still wanting. Thus far not a single State of the section which would be most affected by the amendment had given its assent to it, with the exception of Tennessee. * * * The other States almost unanimously rejected it."

So it took the Reconstruction Act of March 2, 1867, to force ratification of the amendment.

President Johnson officially challenged the constitutionality of this law in a long veto message in which he said:

"I submit to Congress whether this measure is not in its whole character, scope and object without precedent and without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive of those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic have shed so much blood and expended so much treasure."

THE HISTORIANS SPEAK

In the judgment of historians, President Johnson's stand was clearly correct. Samuel Eliot Morison and Henry Steele Commager, in The Growth of the American Republic, observe:

"Johnson returned the bill with a scorching message arguing the unconstitutionality of the whole thing and most impartial students have agreed with his reasoning. Professor [John W.] Burgess writing, indeed, that 'there was hardly a line in the entire bill which would stand the test of the Constitution.' "

Indeed, in setting up military governments in the South, Congress flew in the face of a Supreme Court decision. As James Truslow Adams points out in his History of the United States:

"The Supreme Court had decided 3 months earlier, in the Milligan case, * * * that military courts were unconstitutional except under such war conditions as might make the operation of civil courts impossible, but the President pointed out in vain that practically the whole of the new legislation was unconstitutional. So mad had become the course of the radicals that there was even talk in Congress of impeaching the Supreme Court for its decision. The legislature had run amok and was threatening both the executive and the judiciary."

President Johnson was impeached for his opposition to the reconstruction plans of Congress, and escaped conviction in the Senate by only one vote. The Supreme Court, after the Milligan case, carefully refrained from ruling on the Reconstruction Acts.

AVOIDING THE ISSUE

Mississippi challenged the Reconstruction Acts in a suit filed in the Supreme Court to enjoin President Johnson from carrying out the terms of the law. Charles Warren, in The Supreme Court in United States History, notes:

"On April 15, 1867, within 3 days after the argument, the Court, through the Chief Justice, rendered a decision in which it avoided the delicate issue as to its power to control executive acts in general. * * *

"Undiscouraged by this failure, counsel for the States of Georgia and Mississippi made another attempt to test the validity of the reconstruction legislation by asking leave to file bills praying for injunctions to restrain Secretary of War Stanton and General Grant from executing the provisions of the Reconstruction Acts, and setting forth that the design of these acts was to annul existing State governments and to subject the people to military rule. * * *

"Only 10 days later, the Court rendered a decision dismissing the suits."

Mr. Warren quotes a contemporary editorial in The Nation on the effect of these dismissals:

"Undoubtedly, it is no light matter that the highest Court in the land should thus disclaim the power of enquiring into the constitutionality of an act of Congress destroying the government of 10 States.

"For it must be observed that every word of Mr. [Attorney General] Stanbery's argument would be just as applicable if Massachusetts instead of Georgia were the complainant, and if Congress had undertaken to overthrow a State government which it at the same time admitted to be perfectly legitimate. No State in the Union, therefore, can rely upon the Supreme Court for protection against the usurpation of Congress."

THE FIGHT GOES ON

Yet cases continued to press on the Court. A Mississippi editor named McCardle, who had been arrested by a military commission, applied for a writ of habeas corpus. Mr. Warren notes that this appeal was taken under a law that broadened the Supreme Court's jurisdiction in habeas corpus cases. "By an ironic stroke," says Mr. Warren, "this act designed to enforce the reconstruction measures was now seized as a weapon to test their validity."

The McCardle case stirred up as much controversy as the laws themselves. Congress fearing that a decision would kill the reconstruction acts, passed a law, again over President Johnson's veto, repealing the Supreme Court's jurisdiction. The Court, after postponing a decision, later bowed to Congress and admitted it had lost jurisdiction. It was during this controversy that Gideon Welles, Secretary of the Navy, noted in his diary:

"The judges of the Supreme Court have caved in, fallen through, failed in the McCardle case. * * * These things look ominous and sadden me. I fear for my country when I see such abasement. * * * These are indeed evil times."

That settled the major legal points raised by the reconstruction acts. Mr. Warren reports: "Thus, this hotly contested legal question of the validity of the reconstruction laws disappeared from the Court's history, without any express decision."

With the reconstruction acts virtually forcing them to do so, the Southern States one by one began to ratify the 14th amendment and on July 28, 1868, Secretary of State William H. Seward, at the direction of Congress, declared the amendment to be part of the Constitution.

UNANSWERED QUESTIONS

It still is a real question, though, whether the ratification itself was a valid constitutional process. President Johnson took the view that the Confederate States had never actually left the Union, a stand upheld by the Supreme Court in *Texas* v. *White*. It was on this theory that President Johnson set up State governments in 1865. But the radical Republican leaders of Congress held that the Confederate States were conquered territories and had to be readmitted to the Union. This raised a lot of questions that have yet to be answered.

For instance, Andrew C. McLaughlin, in his Constitutional History of the United States, puts these questions:

"There is no need of allowing ourselves to be smothered by the fogs of reconstruction metaphysics, but can a State which is not a State and not recognized as such by Congress, perform the supreme duty of ratifying an amendment to the fundamental law? Or does a State—by congressional thinking—cease to be a State for some purposes but not for others? If the States were no longer States but, as Stevens had asserted, conquered territory, were they competent to amend the Constitution as a condition to admission? Or, if they had committed suicide, and had become territories, were they still sufficiently alive to perform this solemn function of statehood?

"Congress had no qualms, but passed a resolution, naming all of the six Southern States as well as Ohio and New Jersey, declaring the 14th amendment a part of the Constitution and ordering its promulgation by the Secretary of State."

THE RADICAL MINORITY

And W. E. Woodward poses still other issues:

"They [the Southern States] were informed by the radical leaders in Congress that the reward for their ratification would be restoration to the Union, and that if they did not ratify they might expect the military rule to continue. Were these ratifications valid in the circumstances? That is one question: and here is another. If a State is not in the Union what concern has it with the Constitution? How can it ratify anything? But if the Southern States were actually in the Union, why were their Senators and Representatives excluded from Congress?"

Charles A. Beard and Mary R. Beard in The Rise of American Civilization suggest that this unorthodox way of amending the Constitution was adopted because the radical Republicans actually were in a minority in the country, but wanted to make sure that their policies would endure. As the Beards explain it:

"Soon after slavery was legally abolished the former masters, working through State legislatures, restored a kind of servitude by means of apprentice, vagrancy, and poor laws. This strategical movement the radical Republicans in Congress answered by passing the Civil Rights Bill of 1866 designed to assure American citizenship and the legal rights of citizens to all freedmen—a mere statute which a succeeding Congress could undo.

"Anticipating such a reaction as the tide of northern war passion receded and knowing that they were in a minority in the country as a whole, the Republicans undertook to place the civil rights of freedmen beyond the reach of an ordinary majority forevermore, in a constitutional provision."

WASHINGTON VERSUS THE STATES

The Beards state further that the clause in the first section of the amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction, the equal protection of the laws"—was inserted to strengthen the Federal Government in all fields and to weaken the powers of States. They say:

"By a few words skillfully chosen every act of every State and local government which touched adversely the rights of persons and property was made subject to review and liable to annulment by the Supreme Court at Washington, appointed by the President and Senate for life and far removed from local feelings and prejudices."

The Beards call this era in history "the second American revolution." Morison and Commanger note that the amendment reversed "the traditional relationships between these governments [State and Federal] which had from the beginning distinguished our Federal system."

This is the amendment that continues to give the Supreme Court authority to expand Federal power, amid the complaints and criticism of a growing number of Congressmen and State officials.

This is the 14th amendment:

"SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of

life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

"SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crimes, the basis of representation therein shall be reduced in the porportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

"SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

"SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

THE DUBIOUS ORIGIN OF THE 14TH AMENDMENT

(By Walter J. Suthon, Jr., professor of civil law, Tulane University, former president, Louisiana State Bar Association)

(What's behind all the argument over the 14th amendment? Why do many Southerners refuse to accept it as basis for the outlawing of segregated schools?

(Walter J. Suthon, Jr., a prominent lawyer in Louisiana, originally set out the Southern case in a study published in the Tulane Law Review. He reaffirms his view today. He says: "Southerners were excluded from Congress during the vote on the amendment. Military coercion was used in the South to obtain ratification in 1868."

(Mr. Suthon urges a Supreme Court reexamination. Excerpts from his study follow.)

The 14th amendment to the Constitution of the United States has loomed large in recent years in litigation before the United States Supreme Court involving contentions for restriction of State regulatory power and enlargement of Federal regulatory power. Under this amendment—and its companion, or satellite amendment, the 15th—the United States Supreme Court, in the past approximately 15 years, has repeatedly rendered decisions aimed at coercing racial integration and breaking down established systems of racial segregation in political, educational, social, economic, and other fields in the Southern States—and in some instances outside the South.

It is not the purpose of this article to discuss the merits of segregation—or of its antitype, racial integration. These are questions upon which each of us has his or her own individual view, belief, and conviction, based on what we think and how we think. What is to be discussed relates to the use of the 14th amendment by the United States Supreme Court as an implement for invading the areas formerly reserved to State regulation, or to individual or group action, and for breaking down established systems of racial segregation and setting up compulsive racial interassociation—in effect compulsive racial integration. In this field, the "equal protection of the laws" clause and the "privileges or immunities" clause of the 14th amendment are those most frequently invoked in support of those legal attacks upon our fundamental way of life.

SCHOOL SEGREGATION CASES

There are now (1953) pending in the United States Supreme Court a group of cases involving attacks upon the constitutionality of our system of segregated public schools, and presenting demands that the segregation feature of this system shall be destroyed by judicial fiat. These cases seek the overruling of the established jurisprudence, predicated in a large measure upon a leading decision of the Supreme Court of Massachusetts, that a segregated system of public schools is constitutional, provided the educational facilities for each race are substantially equal.

The United States Supreme Court, after hearing arguments in these school segregation cases, and after several months of study and consideration following these arguments, has entered orders refixing these cases for further argument, now scheduled to take place in December. The orders for reargument specify certain issues on which the Court desires to hear discussion and to receive briefs. From this course of events, it appears quite possible that this Court is closely divided on these cases, and that the ultimate outcome may be determined by the presentation on reargument and in the additional briefs to be filed thereon.

The specification of issues, on which discussion is requested at the reargument, includes inquiries as to events contemporaneous with the framing, submission and ratification of the amendment. These specifications were probably prepared without any particular intent to invite exposure or discussion of the dubious origin of this amendment. Be that as it may, they involve study, consideration and evaluation of the legislative history of the amendment, and its dubious origin—one may justifiably say its worse than dubious origin—is an inseparable part of its malodorous legislative history.

AMENDMENT PROCEDURE ESTABLISHED BY ARTICLE V

Article V of the Constitution sets forth the procedure for amendment proposals and ratifications. The portion of article V pertinent to the amendment machinery utilized in this instance reads as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution * * * which * * * shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States".

As will be observed, this amending process is a two-step process. Congress takes the first step—submission. The next step—ratification—must be the act of the States—the act of at least three-fourths of the States concurring in ratification passed by their respective legislatures.

When the amendment procedure set forth in article V of the Constitution is carefully analyzed, it will appear that the States have the primary or major and final function in the amending process, and the role of Congress therein, although substantial and important, is definitely of a secondary and preliminary nature. Indeed, an amendment proposal defeated in Congress may nevertheless be adopted exclusively by State action. This would occur upon the legislatures of two-thirds of the States applying for the calling of a convention to propose such an amendment, and upon the ratification of that amendment proposal by three-fourths of the States.

Even when the amendment proposal is the product of a two-thirds vote of Congress, the final say-so rests entirely with the States. After the initial step of voting the amendment proposal, the only remaining function in the ratification procedure allocated to Congress by the Constitution is a minor one—the function of determining whether the States, in voting on ratification, shall act through their respective legislatures, or through conventions.

It is a far cry from the delegated power of determining whether ratification shall be considered by State legislatures or by State conventions, to the unmentioned and undelegated power, arrogated unto itself by Congress in 1867, of the commanding sovereign States to ratify an amendment proposal hitherto rejected by them, under the penalty otherwise of continuing denial of all rights of self-government and continuing subjection to military rule. In thus attempting to coerce State action in favor of ratification, after the proposal had been submitted by Congress to the State legislatures, Congress arrogated to itself a primary and paramount role in that part of the amending process wherein the Constitution has allocated to Congress no role at all.

PROPOSAL OF THE AMENDMENT

The 14th amendment was proposed by Congress to the States for adoption, through enactment by Congress of Public Resolution No. 48, adopted by the Senate on June 8, 1866, and by the House of Representatives on June 13, 1866. That Congress deliberately submitted this amendment proposal to the then existing legislatures of the several States is shown by the initial paragraph of the resolution.

This submission was made by a two-thirds vote of the quorum present in each House of Congress, and in that sense it complied with article V of the Constitution. However, the submission was by a "rump" Congress. Using the constitutional provision that "each House shall be the judge of the elections, returns, and qualifications of its own Members," each House had excluded all persons appearing with credentials as Senators or Representatives from the 10 Southern States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas. This exclusion, through the exercise of an unreviewable constitutional prerogative, constituted a gross violation of the essence of two other constitutional provisions, both intended to protect the rights of the States to representation in Congress.

Had these 10 Southern States not been summarily denied their constitutional rights of representation in Congress, through the ruthless use of the power of each House to pass on the election and qualifications of its Members, this amendment proposal would doubtless have died a-borning. It obviously would have been impossible to secure a two-thirds vote for the submission of the proposed 14th amendment, particularly in the Senate, if the excluded Members had been permitted to enter and to vote. Of course, that was one of the motives and reason for this policy of ruthless exclusion.

Assuming the validity of the submission of this amendment by a two-thirds vote of this "rump" Congress, there is no gainsaying the obvious proposition that whatever contemplation or understanding this "rump" Congress may have had, as to the intent, or the scope, or the effect, or the consequences of the amendment being submitted,

was necessarily a "rump" contemplation or understanding. The 10 Southern States, whose Senators and Representatives were all excluded from the deliberations of this "rump" Congress, could have had no possible part in the development or formation of any contemplation or understanding of what the consequences and effects of the proposed amendment were to be.

If the Supreme Court now finds that the Congress submitting the proposed amendment understood and contemplated that it would abolish segregation in the public schools, either immediately or ultimately, one naturally wonders whether the Supreme Court will then enforce this necessarily "rump" contemplation or understanding against the 10 Southern States who were deliberately and designedly excluded from any possible participation in these "rump" submission proceedings.

When the 14th amendment was submitted, these 10 Southern States, which had been excluded from representation in Congress, had existing governments and legislatures. Congress had sought to avoid extending any recognition to these existing State governments, and the legality of these governments, in what the radical majority in Congress termed the "rebel States," was disputed in some quarters. However, in practically all of these 10 States, these governments were the only governments then in existence and these legislatures, being the only legislatures then existing in these States were in June 1866, the only legislatures in these States to which the 14th amendment could be then submitted under the directive in the proposed resolution that the amendment be submitted to the legislatures of the several States.

These State governments had received Presidential recognition and, through their legislatures, they had participated actively in the then recent ratification and adoption of the 13th amendment abolishing slavery. Indeed, ratification of that amendment by these legislatures in these Southern States had aided in making up the ratification of that amendment, abolishing slavery, by the required three-fourths of the States.

REJECTIONS OF THE AMENDMENT

When the proposed 14th amendment was submitted to the legislatures of the several States, it needed to have ratification by 28 States, being three-fourths of the 37 States. While it was ratified rather promptly by most of the States outside the South, it was never ratified by California and it was rejected by the 3 border States of Kentucky, Delaware and Maryland. It was also rejected, during the latter part of 1866 and the early part of 1867, by the legislatures of the 10 Southern States, including Louisiana, whose Senators and Representatives had been excluded from seats in Congress.

These legislative rejections of this amendment proposal in these 10 States were in some instances by a unanimous vote and in all other instances by a vote but little short of unanimity.

This created a situation which made impossible the ratification of the amendment unless some of these rejections were reversed. With 37 States in all, 10 rejections were sufficient to prevent the adoption of the amendment proposal. The 13 rejections, by the 10 Southern States and 3 border States, were more than sufficient to block ratification even if all other States finally ratified.

The Louisiana Legislature, which rejected the 14th amendment early in 1867, had been elected under the Louisiana Constitution of 1864, and functioned under this constitution. It should be remembered that this constitution was not a product of the Confederacy, or of a reorganization of the State government by former Confederates after cessation of hostilities. The Louisiana Constitution of 1864 was adopted by a convention held in New Orleans under the auspices of the Federal authorities, acting largely on suggestions and directions from President Lincoln. It was clearly a reestablishment and continuation of the Louisiana State government as it had existed before secession.

The rejection of the 14th amendment by this Louisiana Legislature is embodied in Act 4 of 1867, a joint resolution adopted by both houses declaring "That the State of Louisiana refuses to accede to the amendment of the Constitution of the United States proposed as article XIV."

This is the only action ever taken on the 14th amendment by a Louisiana Legislature exercising free and unfettered and uncoerced judgment and discretion as between ratification or rejection of the amendment proposal. The subsequent purported ratification of this amendment in Louisiana was by a legislature of a puppet government, created by the radical majority of Congress to do the bidding of its master, and compelled to ratify this amendment by the Federal statute which had brought this puppet government into existence for this specific purpose.

It is most interesting to read the proceedings of the Louisiana House of Representatives on February 6, 1867, whereby that body adopted the joint resolution ordaining the refusal of Louisiana to ratify the proposed 14th amendment—the joint resolution which became Act 4 of 1867. This journal shows, by the rollcall, that 100 members voted out of a total house membership of 110—and that the unanimous vote was 100 against ratification and none in favor of it. This was the last opportunity for a free and uncoerced expression of views on this amendment proposal by the duly elected representatives of the people of Louisiana.

THE RECONSTRUCTION ACT

The scene shifts back to Washington. The radicals have a majority, by over a two-thirds vote, in the rump Congress from which all representation of the 10 Southern States is excluded. They accomplish the passage of the Reconstruction Act of March 2, 1867. This act had, as one of its major objectives, the attainment of ultimate ratification of the 14th amendment through compelling and coercing ratification by the 10 Southern States which had rejected it.

The act dealt with these 10 Southern States, referred to as "rebel States" in its various provisions. It opened with a recital that "no legal State government" existed in these States. It placed these States under military rule. Louisiana and Texas were grouped together as the Fifth Military District, and placed under the domination of an Army officer appointed by the President. All civilian authorities were placed under the dominant authority of the military government.

The Reconstruction Act, as supplemented by later legislation, see particularly act of July 19, 1867, 15 Stat. 14, established a system of registration before Boards set up under military auspices, as a predicate for qualifying as voters under the proposed new governments being imposed upon the Southern States. This legislation gave the Registrars powers at least as absolute and arbitrary as those conferred upon such officials by the Boswell amendment, being amendment No. 55 to Section 181 of the Constitution of Alabama. In the recent judicial annulment of the Boswell amendment, as violative of the 14th and 15th amendments to the Constitution of the United States, great stress was laid upon the arbitrary powers which it conferred upon Boards of Registrars in the registration of voters.

This act, as supplemented by subsequent amendments, completely deprived these States of all their powers of government and autonomy, until such time as Congress should approve the form of a reorganized State government, conforming to rigid and extreme specifications set out in the act, and should have recognized the States as again entitled to representation in Congress.

The most extreme and amazing feature of the act was the requirement that each excluded State must ratify the 14th amendment, in order to again enjoy the status and rights of a State, including representation in Congress, section 3 of the act sets forth this compulsive coercion thus imposed upon the Southern States: "and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States, proposed by the 39th Congress, and known as article 14, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress."

The most apt characterization of this compulsive provision placing these States under military authority, there to remain until they complied inter alia with this requirement of ratifying the rejected 14th amendment, is found in a speech by Senator Doolittle of Wisconsin, a Northerner and a Conservative Republican. During the floor debate on the bill, he said:

"My friend has said what has been said all around me, what is said every day: the people of the South have rejected the constitutional amendment, and therefore we will march upon them and force them to adopt it at the point of the bayonet, and establish military power over them until they do adopt it."

Surely, the authors of our Constitution never contemplated or understood that ratification of a constitutional amendment proposal by a State could lawfully be compelled "at the point of the bayonet," and by subjecting all aspects of civil life in the recalcitrant State to continued military rule, until this State recanted its heresy in rejecting the proposed amendment, and yielded the desired ratification to the duress of continued and compelling force.

It is elementary that any consideration of an amendment proposal from Congress by a State legislature must involve equal freedom on the part of each State to ratify or reject, as its legislature in its deliberation and discretion may determine. The constitutional right and power of a State legislature to ratify carries with it, by necessary implication, an unquestioned and unfettered right and power to refuse to ratify.

President Johnson vetoed the Reconstruction Act in an able message, stressing its harsh injustices and its many aspects of obvious unconstitutionality. He justifiably denounced it as "a bill of attainder against nine million people at once."

Notwithstanding this able message, the act was promptly passed over his veto by the required two-thirds majority in each House. Military rule took over in the 10 Southern States to initiate the process of conditioning a subjugated people to an ultimate acceptance of the Fourteenth Amendment.

In *Dillion* v. *Gloss* (256 U. S. 368, 374 (1921)) the view is expressed that action by the States, on ratification of a proposed constitutional amendment, through State legislatures as "representative assemblies," is an "expression of the people's will." Accordingly, any effort to coerce or manipulate action by a State legislature, on a constitutional amendment proposal, would be tantamount to tampering with the machinery by which the will of the people is expressed in a matter of grave importance. That is exactly what was done on a vast scale, by the dominant majority in Congress, in bringing about the ostensible ratification of the Fourteenth Amendment.

Some may pretend that the ratifications of the Fourteenth Amendment by the Southern States were not compelled or coerced, since the Reconstruction Act gave those States the option or election either to

ratify the amendment and resume their former statehood status, with representation in Congress and power of self-government restored, or else to persist in their rejection of the amendment and to remain under military rule. Any such suggestion can be effectively answered by citing the holding in *Frost Trucking Co.* v. *Railroad Commission* (271 U. S. 583, 593 (1929)) that an exercise of one constitutional right may not lawfully be conditioned upon the surrender of another constitutional right. That opinion speaks of such an ostensible choice as being "no choice, except the choice between the rock and the whirlpool" and "requiring a surrender, which, though in form voluntary, in fact lacks none of the elements of compulsion." These quoted expressions, although from a late case relating to another statute, would describe most aptly the predicament in which the Southern States were placed by the harsh and compulsive provisions of the unconstitutional Reconstruction Act.

This forthright language just quoted contrasts sharply with the unrealistic refusal in *White* v. *Hall* (13 Wall. 646, 649 (1872)) to recognize the obvious fact that the new State constitution, adopted by Georgia under the compulsion of the Reconstruction Act, was a product of congressional "dictation and coercion." In that opinion, the Court ignored actualities to such an extent as to characterize this new constitution, forced upon that State through reiterated compulsive enactments of Congress, as "a voluntary and valid offering" submitted by the State to Congress. This decision did not require a direct adjudication upon the constitutionality and validity of the Reconstruction Act, which came into the case only in a collateral manner.

JUDICIAL REVIEW UNSUCCESSFULLY SOUGHT

Relief from the oppressive and unconstitutional features of the Reconstruction Act was sought in vain in the courts. Three times the Supreme Court found some reason for not deciding these constitutional issues. Unlike the present Court, which was alert to protect three minor Government officials against salary-blocking legislation by Congress, interpreted as constituting a bill of attainder against these individuals, the Court of 1867–68 seemed to feel no urge to review the constitutional merits of the solemn charge of President Johnson that the Reconstruction Act constituted a bill of attainder against 9 million people. This is all the more amazing since the two leading precedents on the enforcement of the constitutional prohibition of bills of attainder, cited and followed in *United States* v. *Lovett*, were decisions of the Court of 1867–68.

The decisions wherein grounds were found for avoiding a ruling on the constitutionality of the Reconstruction Act leave the impression that our highest tribunal failed in these cases to measure up to the standard of the judiciary in a constitutional democracy. If the Reconstruction Act was unconstitutional, the people oppressed by it were entitled to protection by the judiciary against such unconstitutional oppression.

This is emphasized by decisions recognizing that conflicts between Federal and State authority bring into operation one of the most important functions of the Supreme Court. This high function of the Court was adverted to in the opinion in *Luther* v. *Borden*: "The high power has been conferred on this Court, of passing judgment upon the acts of the State sovereignties, and the legislative and executive branches of the Federal Government, and of determining whether they are beyond the limits of power marked out for them respectively by the constitution of the United States" (7 How. 1, 47 (1848)).

Other utterances of the Court most pertinent to the judicial duty to entertain and decide issues arising when action by a State or the United States is challenged by the other, as an invasion of the constitutional rights and prerogatives of the challenger, are found in *Harkrader* v. *Wadley*: "And while it is the duty of this court, in the exercise of its judicial power, to maintain the supremacy of the Constitution and laws of the United States, it is also its duty to guard the States from any encroachment upon their reserved rights by the General Government or the courts thereof" (172 U. S. 148, 162 (1898)); and in Matter of Heff: "In this Republic there is a dual system of government, National and State. Each within its own domain is supreme, and one of the chief functions of this Court is to preserve the balance between them, protecting each in the powers it possesses and preventing any trespass thereon by the other" (197 U. S. 488, 505 (1905)).

In *Mississippi* v. *Johnson*, the Court expressed definite apprehension that an injunction against the execution of the Reconstruction Act by the President, on grounds of unconstitutionality, might result in congressional impeachment of the President for obeying the mandate of the Court.

This refusal of the Court to entertain an action, seeking to enjoin the President from carrying into execution a law alleged to be unconstitutional, clashes sharply in principle with the established doctrine, going back to an early precedent set by Chief Justice Marshall, *Osborn* v. *Bank of the United States* (9 Wheat. 738, 838–859 (1824)), that, even when a sovereign government is not itself suable for want of the consent to be sued, a governmental official may be sued and enjoined upon averment and proper showing of the unconstitutionality of the law under which he purports to act. This is the principle upon which the courts entertain and determine cases involving important constitutional questions, such as the steel seizure cases, *Youngstown Sheet & Tube Co.* v. *Sawyer* (103 F. Supp. 569, aff'd, 343 U. S. 579 (1952)).

It should also be noted that, in *Mississippi* v. *Johnson* (4 Wall. 475 (1866)), the defendants against whom the plaintiff sought to proceed included not only the President, but also his subordinates in the prospective enforcement of the Reconstruction Act in the State of Mississippi, particularly General Ord, military commander of the district whereof Mississippi was a part. If the Court could have been justified in maintaining its view of the President as a sort of an unusable "sacred cow," then General Ord, as the chief subordinate through whom the President would execute in Mississippi the act of Congress assailed as unconstitutional, would still have been a proper and logical defendant for testing and determining this constitutional issue under the principle of *Osborn* v. *Bank of the United States*, supra. Having as the defendant the subordinate, through whom the Chief Executive would perform acts assailed as unconstitutional, would present the identical situation under which the Court acted, by enjoining the steel seizure adjudged to be unconstitutional in *Youngstown Sheet & Tube Co.* v. *Sawyer*, *supra*.

In *Georgia* v. *Stanton*, the Court declined to entertain a suit assailing the constitutionality of the Reconstruction Act, on the ground that the issues raised were political and not justiciable. The opinion frankly describes in the language below the issues as to which the Court held that a State is without any protection in a court of law:

"We are called upon to restrain the defendants, who represent the executive authority of the Government, from carrying into execution certain acts of Congress, inasmuch as such execution would annul, and totally abolish the existing State government of Georgia, and establish another and different one in its place; in other words, would overthrow and destroy the corporate existence of the State by depriving it of all the means and instrumentalities whereby its existence might, and, otherwise would, be maintained."

This denial by the Supreme Court of the right of a State to litigate the constitutionality of a congressional assault upon the validity of its government, and the existence of its sovereignty, exhibits a painful contrast on comparison with later recognitions by the same Court of the right of the same State to sue and litigate, in behalf of its quasi-sovereign rights and interests, *Georgia* v. *Tennessee* (206 U. S. 230, 237 (1907)), and, as parens patriae, in behalf of the economic and industrial interests of its people, *Georgia* v. *Pennsylvania R. R. Co.* (324 U. S. 439, 446–451 (1945)). Pertinent here also are judicial recognitions of the right of a State to sue for protecting the health, comfort, and welfare of its inhabitants against a threatened infraction.

In *Ex parte McCardle*, the Court permitted Congress to evade a judicial determination of the constitutionality of the Reconstruction Act, by repealing a statutory provision as to appellate jurisdiction after the appeal had been lodged, and even after the case had been argued and submitted for decision. Again the opinion leaves the impression that the Court preferred not to be obliged to pass on the merits of the constitutional issue.

This decision appears jurdically sound. See *Bruner* v. *United States* (343 U. S. 112 (1952)). It illustrates, however, the infirmities in our judicial system, whenever a dominant and determined majority in Congress chooses to embark upon a program for sabotaging the power and efficacy of the Federal judiciary. Our Supreme Court has very little vested constitutional judiciary power, and our inferior Federal courts have none at all.

COERCED RATIFICATIONS OF THE AMENDMENT

As a result of these decisions, enforcement of the Reconstruction Act against the Southern States, helpless to resist military rule without the aid of the judiciary, went forward unhampered. Puppet governments were founded in these various States under military auspices. Through these means, the adoption of new State constitutions, conforming to the requirements of Congress, was accomplished. Likewise, one by one, these puppet State governments ratified the 14th amendment, which their more independent predecessors had rejected. Finally, in July 1868, the ratifications of this amendment by the puppet governments of 7 of the 10 Southern States, including Louisiana, gave more than the required ratification by three-fourths of the States, and resulted in a joint resolution adopted by Congress and a proclamation by the Secretary of State, both declaring the amendment ratified and in force.

It is interesting to speculate upon what might have been the course of events if our Supreme Court in 1867–68 had met these charges of unconstitutional action in the enactment and enforcement of the Reconstruction Act in the direct manner which characterized the judicial performance of the Supreme Court of the Union of South Africa in the recent "Coloured Vote Case." The Malan Government had enacted certain legislation restricting the rights of colored voters, which clashed with the assertedly "entrenched clauses" of the Constitution of South Africa. Twice the case went to the Supreme Court of South Africa, and twice the court upheld the constitution on the merits of the issues and pronounced the unconstitutionality of the offending legislation. For this fine judicial work, it has been highly commended.

When *Georgia* v. *Stanton* is compared with the recent South African decisions, one cannot escape the impression that the difference between the cases is the difference between meeting and evading (even though the eva-

sion be perhaps unconscious) an issue which ought to be met and decided.

ATTEMPTED JUSTIFICATIONS OF COERCION

The supposed constitutional justification of the Reconstruction Act, most frequently asserted by its supporters, was the view that such legislation would come within the power of Congress under the guarantee of "a republican form of government" to each State by the United States.

Whatever justification for other portions of the Reconstruction Act may or may not be found in this constitutional provision, there could clearly be no sort of a relationship between a guarantee to a State of "a republican from of government" and an abrogation of the basic and constitutional right of a State, in its legislative discretion, to make its own choice between ratification or rejection of a constitutional amendment proposal submitted to the State legislatures by the Congress of the United States. To deny to a State the exercise of this free choice between ratification and rejection, and to put the harshest sort of coercive pressure upon a State to compel ratification, was clearly a gross infraction—not an effectuation—of the constitutional guaranty of "a republican form of government."

Beyond this, the whole idea that article IV, section 4, could confer upon Congress power to alter the governmental structure of a State—particularly a governmental structure of the general type existing in the Thirteen Original States at the time of the adoption of the Constitution—has been most effectively refuted by Madison. Writing in the Federalist, No. 43, Madison poses two questions respecting the provision for a guarantee to each State of "a republican form of government."

"It may possibly be asked, what need there could be of such a precaution, and whether it may not become a pretext for alterations in the State government, without the concurrence of the States themselves."

He then proceeds to give his answers to these questions, and he answers the second question: "* * * the authority extends no further than to a guaranty of a republican form of government, which supposes a preexisting government of the form which is to be guaranteed. As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms, they have a right to do so, and to claim the Federal guaranty for the latter. The only restriction imposed on them is, that they shall not exchange republican for antirepublican constitutions; a restriction which, it is presumed, will hardly be considered as a grievance."

Notwithstanding this clear and sound demonstration by Madison that this constitutional guaranty should not and could not serve as a pretext for an alteration in the form of a State government of established and recognized republican character, against the protest and objection of the State, there persists in certain decisions of the Supreme Court the concept that this constitutional provision confers upon Congress, acting upon a "political" subject and hence not subject to judicial review, an undefined power of nebulous character to compel changes in an existing State governmental structure.

These observations as to the supposed existence of any such "political" power on the part of Congress are necessarily purely obiter, in the sense that none of these cases involved any effort on the part of Congress to exercise any such power upon and against an existing and objecting State governmental structure. Each of these cases involved an unsuccessful plea or contention for judicial action against some exercise of State authority or against some State law, on the argument that the relief sought was required or authorized by the constitutional guaranty of a republican form of government. In each case, the Court declined to so act against the existing State governmental structure or law.

Accordingly, insofar as what was actually at issue and decided is concerned, none of these cases produced a decision which would clash with the view of Madison that the constitutional guaranty of a republican form of government serves as a safeguard protecting, against enforced change by Federal action, a State governmental structure established and recognized as republican in character. Insofar as these opinions contain discursive observations on a possible unrestrained power in Congress, of a "political" character, to alter an established State governmental structure on the pretext of carrying out the constitutional guaranty of a republican form of government, it should be sufficient to point out that a spurious fallacy does not become sound law merely through being incorporated as obiter in a reported decision of even the highest Court in an important case.

It is appropriate to also mention *White* v. *Texas* (7 Wall. 700 (1869)), as a decision which may be asserted to embody a holding that the enactment of the Reconstruction Act was authorized by the constitutional guaranty of a republican form of government. Such an assertion would seem to be very much of an overstatement, since the validity and effect of the Reconstruction Act were not directly at issue, but came into the case only in a collateral and indirect manner. Indeed, the case only in a collateral and indirect manner. Indeed, the opinion rests the right of Texas to prosecute the suit as much upon the authorization of the suit by the State government antedating the Reconstruction Act as upon such authorization by the State government provisionally set up by the military authorities under the Reconstruction Act. The opinion expressly disclaims "investigating the legal title of either to the executive office."

Furthermore, the concept of "an indestructible union * * * of indestructible States" expressed in this opinion would seem to be at variance with the devastating impact of the Reconstruction Act upon Texas as a State. Highly significant in this connection are the carefully precise statements by the Court that the case required no pronouncement of "judgment upon the constitutionality of any particular provision of these arts" and no inquiry "into the contutionality of this legislation, so far as it relates to military authority or to the paramount authority of Congress."

It would seem appropriate to close this discussion of cases, which might be cited and relied upon in an adversary argument, by repeating the assertion already made in the text that under no conceivable theory could the coerced and compelled ratification of the 14th amendment be defended as authorized by the constitutional guarantee of a republican form of government, even if some of the other provisions of the Reconstruction Act might derive some support from that constitutional provision.

Elsewhere in the same number of the Federalist, Madison reiterates his basic concept that article IV, section 4, unquestionably recognizes the then existing State governments as republican in form, and protects them against innovations or changes of a nonrepublican character.

It is interesting to note that the Supreme Court, in *Minor* v. *Happersett*, enunciated a doctrine completely in accord with Madisonian ideology that the type of government existing in the original States when the Constitution was adopted established a standard for the meaning of the term "republican form of government" in this constitutional provision:

"The guaranty is of a republican form of government. No particular government is designated as republican, neither is the exact form to be guaranteed, in any manner especially designated. Here, as in other parts of the instrument, we are compelled to resort elsewhere to ascertain what was intended.

"The guaranty necessarily implies a duty on the part of States themselves to provide such a government. All the States had governments when the Constitution was adopted. In all the people participated to some extent, through their representatives elected in the manner specially provided. These governments the Constitution did not change. They were accepted precisely as they were, and it is, therefore, to be presumed that they were such as it was the duty of the States to provide. Thus we have unmistakable evidence of what was republican in form, within the meaning of that term as employed in the Constitution."

COERCED RATIFICATION IN LOUISIANA

The enactment of the legislature of the puppet government of Louisiana which ratified the 14th amendment is embodied in Act 2 of 1868. The legislative journals of that session reflect the presence and dominance of the military, all as provided for and contemplated by the Reconstruction Act.

The House Journal shows that on June 29, 1868, Colonel Batchelder opened the session by calling the roll and reading an extract from the order of General Grant. The Senate Journal for the same date shows the reading of instructions from General Grant to the commanding officer of the Fifth Military District emphasizing the supremacy of the power of the military over the provisional civilian government. It was under these auspices that the coerced ratification of the 14th amendment in Louisiana was accomplished.

Even under the puppet government, created in Louisiana pursuant to the Reconstruction Act, the ratification of the 14th amendment in Louisiana was not unanimous. In the Senate on July 9, 1868, the vote on ratification was 20 yeas and 11 nays. The record contains a protest by Senator Bacon against voting upon ratification "under duress" imposed by the Reconstruction Act, and an unavailing appeal by that legislator for an opportunity for a "free and unrestrained" vote.

FORCED RATIFICATION REQUIRES REEXAMINATION OF PURPORTED ADOPTION OF THE AMENDMENT

The fact that ratification in the Southern States came finally, as a coerced result, through the legislatures of the puppet governments created by the Reconstruction Act, after rejection of the amendment by the prior State legislatures, can pose a very serious question in relation to one of the issues upon which the Supreme Court invited discussion on the reargument. This of course refers to the request by the Court for discussion of what understanding or contemplation of the scope of the amendment was had by the State legislatures which ratified it.

Such an inquiry may be proper as to a legislature which, free to ratify or reject, determined of its own volition to ratify. But to give effect, as against the Southern States now, to whatever extreme and sweeping notions of the broad scope of the 14th amendment may have been expressed by the puppet legislators, who used their power under the Reconstruction Act to vote in favor of ratification States really opposed to ratification, would be a perversion of history and a contradiction of plain fact.

Even if plain coercion, under the Reconstruction Act, be not regarded as nullifying the ratification votes of the Southern States, recorded by puppet legislators obeying the orders of their masters, these puppet legislatures have no power to speak on matters of legislative intent, ex post facto, for the States which they misrepresented in voting for ratification. These States, as soon as they were free of Federal coercion, repudiated and

disestablished these puppet governments, and all that went with them.

In 1877 the people of Louisiana succeeded in reestablishing their own government, and thus rid themselves of the puppet government excrescence which the Reconstruction Act had for a time imposed upon them by coercion from without. The present State government of Louisiana is the direct lineal successor of the Nicholls government, which the people of Louisiana elected, installed, and maintained in office in 1877.

The Nicholls government came into office in Louisiana over the bitter opposition of the predecessor puppet government. The latter sought to install the Packard government in official power in Louisiana, and for several months Louisiana had two governments—the puppet Packard government spawned by the Reconstruction Act, and the Nicholls government elected by the people. Upon the withdrawal of military support from it, the Packard government disintegrated. The Nicholls government thus came into power as in actuality a new government—not as a successor and continuation of the disintegrated puppet government.

This type of change was characteristic of what occurred in other Southern States, as the puppet governments which had gone through the form of ratifying the 14th amendment, under the compulsion and coercion of the Reconstruction Act, fell from power one by one and were succeeded by governments of the people.

But the attack upon the legality of the coerced ratifications of the 14th amendment by the Southern States, under the compulsions of the Reconstruction Act, goes beyond the question of whether the puppet governments, which went through the form of voting these enforced ratifications, were authorized to authentically express the contemplation or understanding of the Southern States as to the scope and operative force of the amendment. The question arises, upon an analysis of the provisions of article V and upon a study of the history of the evolvement of this article in the Federal Convention of 1787, whether these coerced ratifications should be decreed null and void, as the product of an usurpative incursion by Congress into an area—the ratification-or-rejection process—from which it is clearly excluded by article V.

To permit Congress to have a decisive and controlling part in the final decision on ratification or rejection of a constitutional amendment proposal, after Hamilton had secured the reluctant assent of the Convention to letting Congress have merely a power to initiate amendment proposals, on his solemn representation that the people would finally decide, would constitute a clear disregard of the plain intent of the Founding Fathers concerning the meaning and effect of article V. Beyond this, congressional coercion, intruding into and upon the ratification process, amounts to a gross breach of faith with the obvious understanding had between Madison and Hamilton when, following Hamilton's frank avowal that the power of final decision in an amendment proposal should be vested in the people, these two great statesmen cooperated in setting up the amendment procedure whereby, on an amendment proposal submitted by Congress to the legislatures of the several States, the people of each State, speaking through its legislature, have the final decision on ratification or rejection.

One who says that such questions are political and not justiciable, must necessarily mean that a political body, actuated by political motives and effectuating political objectives, should have and exercise a final power, not judicially reviewable, to change the plain meaning of a constitutional provision, and to disregard its obvious intent and purpose, as demonstrated by the history of its evolvement.

No such paramount power over any step or event in the ratification phase of a constitutional amendment proposal, after submission of the proposal by Congress to either State legislatures or State conventions has taken place, is conferred upon Congress by either the plain wording of article V, or the spirit or intent of article V, as shown by the history of its evolvement in the Federal Convention of 1787. There is nowhere in the pertinent sources of congressional authority deriving from article V any warrant for a determination by Congress, unreviewable by the judiciary, that Congress has any power at all to coerce and compel rejecting States to change their action to ratification. To set up such an unreviewable power in Congress, as to the validity of its own coercive action directed against sovereign States, would be an attempt to create a high court of Congress having judicial functions and powers superior to those of the Supreme Court of the United States itself.

It may be assumed that, when State legislatures are acting on ratification vel non of a submitted constitutional amendment proposal, it is appropriate for Congress, or some Federal functionary so doing under authority delegated by Congress, to act as scorekeeper and to tabulate and announce the result. However, to use an apt illustration borrowed from a favorite outdoor sport, a scorekeeper at a baseball game would clearly have no power (inherent or implied) to score a strikeout as a base hit, or to recall to the bat a player who has just struck out and to order the pitcher to continue to pitch to this batter until he does get a base hit.

These simple illustrations of the very limited functions and powers of a scorekeeper completely refute any idea that any function or power which Congress might have to statistically record and compile, and to declare the results of action by the States on ratification or rejection of an amendment proposal, could by any stretch of the imagination confer upon Congress any power to influence or compel State action one way or the other on ratification or rejection, or to legalize a coerced and compelled change by a State from rejection to ratification.

Finally, a reference to the several decisions treating as justiciable issues controveries pertaining to various questions arising in the course of the amendment procedure established by article V, clearly negatives any idea that the question of the validity of the coerced ratifications of the 14th amendment, compelled by the Reconstruction Act, could be properly classified as a political and nonjusticiable issue.

The adversary or the skeptic might assert that, after a lapse of more than 80 years, it is too late to question the constitutionality or validity of the coerced ratifications of the 14th amendment even on substantial and serious grounds. The ready answer is that there is no statute of limitations that will cure a gross violation of the amendment procedure laid down by article V of the Constitution.

Precedents are not wanting for the successful assertion of constitutional rights which have been flouted or ignored over long periods of time. In *Erie Railroad Co.* v. *Tompkins*, the Court, on a constitutional point, reversed its jurisprudence of more than 90 years' standing, dating back to *Swift* v. *Tyson*. This was done on the expression of the view that a doctrine involving statutory construction would not be reexamined and upset after that lapse of time, but that the true doctrine on the constitutional point, once resolved, must be given effect regardless of lapse of time.

This principle should apply here. If the coerced and enforced ratifications of the 14th amendment by the Southern States in 1868, compelled by congressional duress offending against the Constitution itself, constitute an infraction of the amendment procedure ordained by article V of the Constitution, these enforced ratifications are just as violative of the provisions of article V in 1953 as they were in 1868.

In a recent case terminating the exclusion of Negroes from restaurants in the District of Columbia, the Court found still operative, and ordered enforced, a statutory enactment dating back to the early 1870's, which had lain dormant during practically the whole period of time since its enactment, and which had been variously regarded by lower courts in the case as having been repealed by codification or implication in 1877 or in 1901. Upon a demonstration now that article V of the Constitution was violated and flouted by the 1868 coerced ratifications of the 14th amendment, the true rule for this amendment process, ordained by article V, is entitled to receive from the judiciary the same respectful consideration and orderly enforcement as was recently accorded the revivified 1873 enactment of the short-lived local legislature of the District of Columbia.

CONSTRUCTION OF HEALTH RESEARCH FACILITIES

Mr. HARRIS submitted a conference report and statement on the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes.

Mr. DODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Speaker, in the United States in recent years, all of us have played a part, both as citizens and as legislators, in one of the great social movements of our time—the rapid and far-reaching advances of medical science. These advances have come about largely through increased private support of medical research and through Federal programs, including Public Health Service grants to non-Federal medical research institutions. This has been a cooperative endeavor, with Government, industry, foundations, and individuals all participating, in the best American tradition. We can well be proud of the results that have been achieved.

New and pressing needs, however, are becoming apparent. The testimony in support of S. 849 has emphasized that research in the Nation's medical schools, universities, hospitals, and other institutions pursuing medical investigation is critically hampered by lack of adequate facilities and equipment. The Nation's research laboratory is outworn, outmoded, and bursting at the seams. While yielding many wonders, it is no longer able to keep pace with the scientific mind.

We have before us an opportunity—more than that, a responsibility—to take an important step toward resolving this problem. And it will be a step wholly consistent with that tradition of cooperative endeavor by which the medical research effort of this country has attained

its position of solidarity and world leadership. Experience has shown that Federal funds for research construction will be more than matched from private sources.

I am interested in this problem as a national concern, but the problem is clearly manifest in the need for research facilities and equipment in my own State. Several institutions in Connecticut are actively engaged in medical research of a high caliber, but are seriously restricted by lack of funds for the construction of research facilities.

Yale University School of Medicine, the largest of our institutions conducting research on many of the major health problems, affords an outstanding example of what might be expected of grants for research construction. In 1948 Yale received $250,000 under a 2-year Public Health Service program for construction of cancer research facilities. The university put up an additional $170,000 and a building site, although there were no matching requirements. By August 1951 a two-story animal building of 18,000 square feet was completed, enabling the school to bring together and maintain under proper conditions the various animals needed for cancer investigation.

The University is now engaged in productive research on a wide variety of diseases, including cancer, arthritis, and other metabolic diseases, heart disease, and mental and neurological disorders. In addition to this work, the University conducts many basic research studies—vitally important but not necessarily related to any particular disease. I have in mind studies on growth, heredity, body chemistry, the function of various organs and tissues—studies yielding fundamental knowledge which will undoubtedly find application later to practical health problems.

But this important work—and similar investigations in other institutions throughout the country—has reached a point where continued productivity demands the renovation, expansion, and equipment of research facilities. At Yale there is an acute need for expansion of the biochemical laboratories, for relocation of the School of Public Health to make room for studies in pathology and microbiology, for renovations to provide a laboratory for psychiatry, for remodeling of the laboratory of obstetrics. This list is not complete, but the needs are typical.

As in many institutions, overcrowding of the laboratories has decreased efficiency and curtailed the acceptance of advanced research students. Some of the buildings are obsolete and should be repaired extensively or abandoned. Meanwhile, the staff and research program is constantly expanding, and the occupancy of many laboratories has reached the saturation point. At the present rate of growth, programs now in operation will be seriously hampered in 2 or 3 years, the time it would take for detailed planning and construction if funds were now available.

I have spoken of Yale University, but I could have drawn my examples from many other institutions in the State of Connecticut. Highly significant studies in the chronic diseases are being done at Connecticut College of New London, Connecticut University of Storrs, the Institute of Living at Hartford, Norwalk Hospital, and Wesleyan University, to name a representative group. The need for facilities varies, and there are variations in the capacity of the institutions to match funds; but the pattern is the same. As in research laboratories across the land, many of these institutions would be able, through the proposed legislation, to undertake essential construction.

This would have bearing not only on the progress of immediate vital research, but also on the training of tomorrow's scientists. There is little hope of ever achieving adequate scientific manpower in this country unless research facilities are available in which young research scientists can study and work. To help provide such facilities is the opportunity, and I repeat, the responsibility presented to us.

I therefore urge adoption of this conference report and trust that an appropriation will be made before the end of this session to carry out its purposes.

THE REPUBLICAN CAMPAIGN SLOGAN

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, during the past several months we have heard a great deal from Republican Chairman Leonard Hall and other Republican stalwarts about this year's Republican campaign slogan of "Peace, progress, and prosperity." In using this slogan, as in other matters, the Republican Party again proves itself about 36 years too late.

I hold in my hand the Democratic campaign textbook for the year 1920, the year James L. Cox ran for the Presidency and what do you suppose the slogan was? "Peace, progress, and prosperity."

I am sure the Democratic Party does not object to this Republican plagiarism. After all, the Democratic Party has always propounded the cause of national military strength which has led to peace. It has always pushed the Republican Party into whatever progress it could claim. The economic stabilizers built in during Democratic years have continued prosperity into the present administration.

To the Republican Party which has plagiarized this slogan, I wish the same success as the Democratic Party had with it in 1920.

PUBLIC WORKS APPROPRIATION BILL

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am most desirous of extending my warm appreciation to the committee for its outstanding work on this bill.

In behalf of the people of my State and district and as chairman of the Massachusetts congressional delegation committee on flood prevention and rehabilitation as well as for myself personally, I am privileged to thank the able chairman of the committee, the able chairman of the subcommittee, all the members and staff members who were responsible for bringing this very constructive measure to the House.

So far as my area is concerned, this bill marks the greatest forward step in flood control that has ever been taken in the area by the Federal Government. I am very happy to acknowledge and state that practically every major flood project that was proposed and supported by our delegation committee was adopted by this fine committee of the House, and by the conference, and will be passed by the Congress. There is only one project of our original major program that was not included in the bill and that was omitted, not because it was opposed, but because of operational problems that made it more appropriate to defer it until another major project above it in the same river basin has been completed.

Of course there are other measures necessary in the future in order to round out the overall program—the minimum program if you will—which will be required for complete flood control and protection in the Northeast.

But as a result of the great work of the committee we are well on our way toward the ultimate goal. This bill will make our tasks henceforth much easier though no less vital, and I am anxious to record here my feelings of sincere gratitude and appreciation.

HOUSING FOR OLDER PEOPLE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, I should like to direct my remarks specifically to the question of special programs to produce housing units that fit the needs of a growing group, our citizens of 65 years of age and more.

The chairman of the Housing Subcommittee of the Committee on Banking and Currency [Mr. RAINS] took the trouble to arrange for many hearings at the grassroots, across the country, on the problems we face in the housing field.

It is fair, I think, to say that we have been more remiss in housing in regard to older people than in any other single field.

Let us look at the human facts involved. Families composed of husband and wife 65 years old or more show a certain pattern. Their children are grown and married. They themselves no longer have maximum earning power and they are at least thinking of retirement. The breadwinner cannot look forward confidently to full pay. The

family may be living on social-security payments or be contemplating the future need of living on social-security payments.

Older people may become ill. The infirmities of age are a menace to all of us. Older people, whose children have grown up and moved away, do not need large houses. Neither do they wish to be a burden on their children. They need a chance for companionship among people of their own age group.

Let us look at the fact that an apartment house designed for older people would have ramps, instead of steep stairsteps, for the convenience of those for whom the building is intended.

The issues of which I am talking are not abstract and theoretical. The increasing span of life expectancy suggests very strongly that even now, and much more so in the next 10 years, a substantial part of our population must lie in the age group of 65 years and older.

These people deserve respect. They have lived decently, reared their children, and now they are in the twilight of their lives. They should have a place to lay their heads.

The bill reported out by the Banking and Currency Committee, after the work of the Subcommittee on Housing, would make a start toward meeting the problems in the housing field of our older citizens.

For families that are indigent—for couples who no longer can support themselves but do not wish to be a burden on their children or clients of the poorhouse—public housing would be available.

For other aged couples, more fortunately situated financially, nonprofit corporations might me underwritten by the Government's housing authorities, for the single purpose of building housing for the elderly.

The interest rate would be low. The term of payment of the principal would be long—as long as 50 years.

We need have no fear that these seemingly generous terms will lead to widespread defaultations and heavy loss to the Federal Government.

We have learned, in about the last 30 years, that American citizens pay their bills. If this were not true, the whole structure of consumer credit would tumble down. And where then would be Detroit's automobile sales, and the sales of appliances and desirables from many other cities? Americans pay their bills.

The citizens of 65 years and older, I would suggest, are very good risks.

They are growing in number—and in the field of housing they need help.

Some of them, a small minority, need help in the way of publicly sponsored housing. Others can pay their own way if the interest rates are held down properly and the term of payment is extended.

In both cases the older people who ask our help are self-respecting and fundamentally self-reliant. They have had lifetimes of labor. They ask a place for themselves in the later years—a place where their problems are met, where others are decently kind to them, a place designed for them.

I congratulate the gentleman from Alabama [Mr. RAINS] for his subcommittee's work in this field of housing for the older citizen and for his pioneering activity in uncovering the facts.

HELPING PEOPLE BEHIND THE IRON CURTAIN

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I would like to see Congress take some definite and forward action so as to show the people behind the Iron Curtain that we in America are standing behind them. Today, I am proposing to the Congress for its consideration that the Congress set aside a definite sum, to be prorated according to size or population, to the people presently behind the Iron Curtain to assist them in setting up their own respective governments as to ethnic origin.

These sums should be set aside and held in escrow and earmarked specifically for each respectively designated nation and should be of an amount large enough to be effective.

The stipulations would be that these moneys would be held until the following: That a complete and unbiased election be held by the people by American standards to formulate a free, democratic government; that American representatives shall be present only as observers to make sure that the elections held would not be under coercion or intimidation and that complete freedom of the individual be exercised at the election booth.

These funds shall only then be given to the respective country if the above is followed for the purpose of assisting them in carrying out the intent of the elected officials of that country.

Of course, with the above, we must consider other elements of the economy of the nations. Steps should be prepared to send livestock—hogs, cattle and so forth—and grains, to bolster the agricultural economy. Steps should be initiated for technical assistance and any other category which would be for the express intent only of assisting these nations to get back on their own feet and regain their relative position in Europe.

The above proposal would have the effect of assuring the people behind the Iron Curtain that we in America are definitely behind them and are prepared to assist them at the time they are able to throw off the yoke of oppression.

While this is not exactly on the order of the Marshall plan, it resembles it in that it would be for the purpose of making these nations independent and self-sustaining. The response of the American public would be, I believe, overwhelming. Let us not forget what happened after World War I when the public responded to assisting the Armenians and other nations of the world.

We are presently spending billions for foreign assistance and on our Military Establishment. These have been deterrents to further expansion by Soviet Russia. The American public, I believe, would accept my proposal because of the possible elimination of the huge expenditures that the taxpayers are presently bearing.

If those countries behind the Iron Curtain could be freed and assisted by us, they would be a deterrent to any future war that might be perpetrated. Also, we must consider the fact that the present Russian Government would automatically be weakened to the degree that it would be impossible to keep its present position.

I believe we can very well judge certain actions in World War II as a premonition of what to expect. The Russian people if attacked band together to throw off aggressors, as they did the Germans. Still, we ought to know that the Russian people as a whole are opposed to their present form of government.

This proposal is far-reaching and with immense potential for the future not only for the protection of America but the stability of the world.

I beg the indulgence of the membership of the House in this matter which I believe merits consideration.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ATOMIC ELECTRIC PLANTS

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, S. 4146 should be rejected in its entirety at this session of Congress. There are so many different aspects and implications that require attentive study by every Representative that judicious endorsement of the proposal before adjournment would be impossible.

The report of the National Academy of Sciences should cause even the most fervent advocate of atomic electric power to hesitate before recommending the creation of unnecessary nuclear facilities anywhere in the United States. The fact that Russia may be going ahead with some sort of a peacetime atomic program is no justification for our plunging into perilous waters on the theory that we must remain in front of this race into the unknown.

We must continue to spend as many billions as are necessary in the development of atomic weapons as a security measure, but progress in this direction does not depend upon our ability to set atomic power stations hither and yon.

Life is cheap in Russia. The Kremlin would undoubtedly be willing to sacrifice a few million lives in Vladivostok, Rostov, Poznan, or Peiping, for the sake of an experimentation that might give the U. S. S. R. a superficial prestige among the countries of the world. The ultimate results to human life are of no concern so long as there is a temporary advantage to the cause of the Red ideology.

Our scientists have been very frank in admonishing us of the risks involved in extracting utility value from the atom. We must not disregard the advice of these experts. Our research into the peacetime application of nuclear materials is still in its infancy. We trust, and we are confident, that in the not too distant future many of the inherent dangers will have been eliminated through the persistent devotion of our scientists and engineers. Until that time, however, America must avoid being stampeded into a dubious course of action merely because Russia threatens to assume an early lead in producing electricity from the atom. Let the advocates of the reactor program say what they want, there is no need in America for a new source of electric energy at this time. Nor will there be for many centuries to come.

More than 50 percent of all the electric power generated in this country comes from coal-fired steam plants. This share will rise steadily in future decades; what is more, there are ample coal reserves to assume this responsibility. To undertake the creation of a competitive means of producing our power supply through Federally-subsidized reactors would not only be an extravagance; it would also be unfair to the coal industry and to the thousands of families depending upon it for a livelihood. It would also be unfair to the railroad men whose jobs depend upon coal traffic for their livelihood. Our anthracite miners have experienced difficult times for a number of years, with the burden of guilt for depressed markets largely attributable to the Federal Government because of its attitude toward oil imports and its fuel-buying policies. The anthracite industry has also been victimized by assorted other handicaps not of its own making. We cannot permit anthracite to be saddled with additional burdens. More than 10 percent of all the anthracite produced in the United States is used by our electric utilities industry. This market is highly valued by both producers and miners. It cannot be sacrificed in deference to the wishes of the sponsors of the reactor program.

I repeat, Mr. Speaker, S. 4146 must be laid aside at this time. If in succeeding Congresses we are convinced that the dangers are sufficiently minimized and that economic hardship will not come to the coal industry, then there will be ample time for reexamining the program, refocusing our sights, and revising our judgment. In any case, however, a Government undertaking of this sort must be accompanied by the assurance that it will not in any way create unemployment in the coal and railroad industries.

HELLS CANYON DAM

Mrs. GREEN of Oregon. Mr. Sperker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, the exercise of Presidential power is a marvelous thing. We have had a lot of opportunity to marvel over it in the last few days. For instance, the President is supposedly for any bill that will build schools. And he is for comprehensive resource development—at least, in the upper Colorado Basin. Yet when the school bill was defeated in the House, with a large Republican majority against it, the President, who is for school aid, did not lift a finger, or say a word, to get the 16 Republican votes that would have saved the school bill. Presidential power had apparently blown a fuse.

On the other hand, now that the bill for high Hells Canyon Dam is before the Senate, the President, who was for comprehensive development of the upper Colorado, is using every ounce of power against comprehensive development of the Columbia Basin. Presidential power seems to be on a curious kind of alternating current—and the school bill came up during the wrong cycle. Or maybe Presidential power is strictly private power—available for the benefit of private-utility corporations but not for the benefit of schoolchildren.

James Reston wrote in the New York Times, after the defeat of the school bill:

> The silence of the President during this week's debate is extremely interesting. Ever since his first inaugural address, he has talked about the urgent need for prompt action in this field, but with his party divided and wavering on what to do, he did not send a single word to Congress during this week's debate. * * * While the President was for any bill that would build more schoolrooms, only 75 Republicans voted for the Kelley bill that lost by only 30 votes.

In fact, some press reports indicate that the administration passed the word that it was all right for Republicans to oppose any school bill except the administration's own special version.

The Times for Wednesday, July 18 tells a very different story about the use of Presidential power on the Hells Canyon bill. It says:

> Intensive White House pressure is being brought to bear on Republican Senators to force them to vote against maximum comprehensive development of the Columbia River system.
>
> One Republican Senator has received 4 telephone calls from the White House and 2 from the Department of the Interior in recent days. Others have received two or more calls. Some have been visited by White House aides. * * * The pressure, in the opinion of many Senators, is as great as that applied on any issue in the last 3 years.

Why is it that the Idaho Power Co., an absentee corporation operating for private profit, can command all the resources of the Presidency in support of its interests, while the schoolchildren of all the United States can get no help from the White House? Maybe the administration had to neglect the school bill while it rested up for its intensive service, this week, in behalf of Idaho Power. Or maybe schoolchildren do not make such large campaign contributions as utility corporations.

This is an ironic exhibition of the use of Presidential power. The President is for school construction—so Republican votes in the House kill school construction while he looks on in apparent indifference. He is for comprehensive resource development—so every ounce of energy is thrown into defeating high Hells Canyon Dam. Our schoolchildren are given the shadow of empty piety, while all the substance of Presidential power is put at the service of a private corporation. Is this the great crusade—or is it progressive modernization or dynamic conservatism or one of those grand-sounding slogans? I will wait patiently and with interest, while Madison Avenue prepares a four-color, slick paper explanation of this sorry performance.

PEACE, PROGRESS, AND PROSPERITY

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker, I was entertained by the reference to the 1920 Democratic Handbook, a portion of which was just read by the gentleman from Ohio [Mr. VANIK]. It would seem to me rather obvious, from the result of the 1920 election, when the Democrats were resoundingly defeated, that the people in general did not believe that the Democrats really stood for a peace, progress, and prosperity program then. I am inclined to believe the people did know President Eisenhower stood for peace, progress, and prosperity in 1952 because they elected him overwhelmingly. I doubt if they would believe the Democrats stood for peace, progress, and prosperity today even if the Democratic Party came forward with that same slogan once more.

They could well do just that. Evidently few people remember the Democrats as a party of peace, especially in light of the heated division in their party ranks during the civil-rights debate this week.

VETERANS LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to state with all the strength of my being that I believe the Congress should stay in session until the so-called veterans compensation and training bill and one or two others are ready for the President's signature. I

believe the great majority realize we should not go home until those bills have been passed and signed by the President. It is a debt we owe and affects the future of our country. Gratitude in past sacrifices will make our country happier, but is insurance for our security in unsettled times.

H. R. 8902

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a minority report, certain correspondence, and tabulations.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, yesterday the Rules Committee reported House Resolution 605, providing for consideration of and 1-hour debate on this bill.

Because of the pressure under which all remaining legislative proposals must be considered during these last few days before adjournment, I believe some of my colleagues will be interested in an outline of reasons for opposing this bill.

First, I shall restate the minority report which I filed July 9, as follows:

MINORITY REPORT (TO ACCOMPANY H. R. 8902)

In my opinion, the reasons against this proposed legislation far outweigh any reasons for its passage.

There are compelling reasons against favorable action at this time.

The testimony of Hon. Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board, to the Subcommittee on Transportation and Communications of the House Committee on Interstate and Foreign Commerce on April 20, 1956, expresses the reasons for not approving this bill in two brief sentences as follows:

"These bills (referring to H. R. 8902, and a companion bill, H. R. 8903) would, in effect, substitute for the present test of demonstrable need of an individual carrier, a conclusive presumption of need that is based on some idea that the industry generally requires such an inducement. Such a basis for handing out Government money carries with it little, if any, assurance that some carriers will not get windfalls." (Hearings, p. 562.)

At the time when Vice Chairman Adams testified before the subcommittee, our former colleague, Hon. Ross Rizley, had resigned from the Civil Aeronautics Board to become a judge, but previously, as chairman of the Board, he joined Vice Chairman Adams in using these exact words.

It is to be noted that no department or agency of the United States Government supports this bill. On the contrary, while two members of the Civil Aeronautics Board did support the bill, the Comptroller General of the United States and the Bureau of the Budget opposed the proposal. Among those who supported the bill were representatives of the Air Transport Association of America and of Pan American World Airways, Inc.

As Vice Chairman Adams stated in his testimony, hearings, page 562, this bill is objectionable because the manner in which it proposes to accomplish the air carriers' reequipment plans "is in conflict with the basic principles of the Civil Aeronautics Act and sound ratemaking policy in general."

After outlining the facts that the act requires the Board to grant subsidy in an amount sufficient to meet an air carrier's overall financial requirements, and that a very substantial part of the total need of a carrier, which has been recognized always, is depreciation expense and a fair margin of profit, he referred to the fact that the income or revenue side of the ledger must be examined.

He stated:

"I strongly believe that the present method of awarding subsidy on the basis of the need of a particular carrier is abundantly fair to the carrier, prevents waste of Government funds, and contains adequate inducement to the carriers to maintain and develop the quality and quantity of air transportation required in the national interest. Adequate proof of this is demonstrated by the tremendous development of air transportation since the enactment of the very rate provision that H. R. 8902 and H. R. 8903 now seek to amend. And yet, these bills would in effect disregard the actual need of the particular carrier seeking subsidy support by prohibiting the Board from looking at the profits from the sale of equipment—the very same equipment which, through depreciation allowances, already might have been paid for by the traveling public and the Government through its award of subsidy. Whether a particular carrier needs it or not, it would get to keep the profit anyway, if these bills pass."

The background of this proposal is important.

On November 11, 1944, the Board issued a certificate of public convenience and necessity to Western Airlines for route 68, between Denver and Los Angeles. United Airlines was the other principal applicant.

Western did not inaugurate service over this route until April 1, 1946. Less than a year later Western and United entered into an agreement, subject to the Board's approval, for the sale of the certificate and route, together with aircraft and certain equipment, for $3,750,000. The purchase price represented a substantial profit.

This led to a dispute, involving the Board and the Postmaster General, as to whether the profit to Western was "other revenue" under the act which would reduce Western's mail pay or subsidy.

In the proceeding before the Board, the Air Transport Association of America filed a brief amicus curiae supporting Western's contention that the profit was not "other revenue."

The United States Court of Appeals for the District of Columbia Circuit held that the Board was required to take into account the amount of profit as constituting "other revenue."

On certiorari, the Supreme Court of the United States on February 1, 1954, unanimously upheld the decision of the circuit court of appeals.

In December 1955, in the System Mail Rates case, involving the Pan American World Airways, Inc., the Board applied the principle of looking at the income side of the ledger and ruled that gains from the sale of flight equipment is clearly within the "other revenue" provision of section 406 of the act and must be offset against the expenses unless "need" is shown for the United States Government to pay an additional amount of subsidy. Therefore, it held that the "other revenue," including gains from sale of flight equipment, securities, and other tangible property during the period January 1–September 30, 1955, totaled $4,654,000. It stated that:

"Since capital gains are taxed at a 26-percent rate for Federal income-tax purposes, application of this income will reduce the amount of tax, otherwise allowable," and that—

"The total impact of this source of income on the carrier's subsidy is a reduction of $7,319,000 for the first 9 months of 1955."

It is difficult to forecast what the exact result would be in future years if this legislative proposal was to be substituted for the basic principles of the Civil Aeronautics Act and sound ratemaking policy in general. But I submit that this proposal is inconsistent with the concept of individual "need" contained in section 406 of the act and, in practice, would not only be discriminatory but entirely unrelated to the individual requirements of the carriers.

In any event, the best current data as to the actual effect of this legislative proposal is indicated in a tabulation prepared by the Department of Commerce, which is as follows:

Summary of capital gains used to reduce subsidy payments and capital losses underwritten with subsidy under final mail rate orders

	Calendar year							Calendar year						
	1951	1952	1953	1954	1955	Total		1951	1952	1953	1954	1955	Total
Braniff:							Empire	0	(6)	(6)	(6)	(6)	(6)
Domestic	0	0	$1 375 000	$58, 000	$84, 000	$1, 515, 000	Frontier	0	0	0	0	0	0
International	(1)	(1)	(1)	0	0	0	Lake Central	$43, 604	$28, 242	$450	0	0	$72, 296
Capital	0	0	0	0	0	0	Mid-West	0	(7)	(7)	(7)	(7)	(7)
Chicago & Southern	0	0	(2)	(2)	(2)	(2)	Mohawk	0	0	0	0	(3)	0
Colonial	0	0	0	(3)	(1)	0	North Central	24, 037	0	0	0	0	24, 037
Continental	0	0	0	0	0	0	Ozark	0	0	0	0	(3)	0
Delta	0	0	0	700, 000	700, 000	1, 400, 000	Piedmont	0	0	0	0	(3)	0
Inland	0	(4)	(4)	(4)	(4)	(4)	Pioneer	0	0	0	0	(3)	0
Mid-Continent	0	(5)	(5)	(5)	(5)	(5)	Southern	0	168	0	0	0	168
National	0	0	0	0	0	0	Southwest	0	16, 083	0	0	0	16, 083
Northeast	$42, 000	$254, 000	0	0	0	296, 000	Trans Texas	0	0	2, 150	$50	0	2, 200
Northwest	(1)	0	0	(1)	0	0	West Coast	0	0	(3)	(1)	(1)	0
Western	0	0	0	0		0	Wiggins	0	0	(3)	(3)	(3)	(3)
Allegheny	0	0	0	0	(3)	0	Helicopter	−4, 872	0	0	0	0	−4, 872
Bonanza	170	0	0	0	(3)	170	Los Angeles	0	364	533	335	0	1, 232
Central	2, 032	30	1, 224	0	0	3, 286	New York	0	−199	−1, 067	−3, 022	0	−4, 288

See footnotes at end of table.

Summary of capital gains used to reduce subsidy payments and capital losses underwritten with subsidy under final mail rate orders—Con.

	Calendar year					
	1951	1952	1953	1954	1955	Total
Alaska Airlines	[1]	[2]	0	0	−$2,231	−$2,231
Alaska Coastal	−$2,126	0	0	0	0	−2,126
Byers	2,242	$724	0	0	0	2,966
Christensen	0	[10]	[10]	[10]	[10]	[10]
Cordova	−1,842	0	0	0	0	−1,842
Ellis	183	0	0	0	0	183
Northern Consolidated	−5,854	550	0	0	8,400	3,096
Pacific Northern	37	0	0	[3]	[1]	37
Reeve	215	1,410	0	0	0	1,625
Wien	−4,678	−1,769	0	0	0	−6,447
Hawaiian	$2,071	0	−$360	0	0	$1,711
Trans-Pacific	0	0	−494	0	0	−494
Pan American	3,085,000	[11] 2,935,000	3,419,000	[12] 613,000	7,236,000	17,288,000
Trans World (International)	287,000	504,000	504,000	0	0	1,295,000
Caribbean	0	0	0	0	0	0
Panagra	0	0	0	0	[3]	0
Total	3,469,219	3,738,603	5,298,436	1,368,363	8,026,169	21,900,790

[1] Mail rate open for entire year.
[2] Merged into Delta May 1, 1953.
[3] Mail rate open for portion of year.
[4] Merged into Western Apr. 10, 1952.
[5] Merged into Braniff Aug. 16, 1952.
[6] Merged into West Coast Aug. 1, 1952.
[7] Ceased operations Apr. 15, 1952.
[8] Merged into Continental Apr. 1, 1955.
[9] Ceased operations Aug. 1, 1953.
[10] Ceased operations July 6, 1952.
[11] Mail rate for Latin American Division open for calendar year 1952.
[12] Mail rate for Pacific Division open for calendar year 1954.

It seems to me significant that the following amounts would have been received by four airlines had this legislative proposal been in effect since 1951:

Pan American	$17,288,000
Braniff	1,515,000
Delta	1,400,000
Trans-World (International)	1,295,000
Total	21,498,000

An examination of the tabulation indicates how little benefit could be anticipated by most of the airlines of the country.

It is most significant that the Board recognizes the wisdom of reappraising existing policies as to gains from the retirement of property in terms of the capital requirements arising from the reequipment programs of the airlines.

On April 6, 1956, the Board instituted a proceeding to determine how gains and losses upon the retirement of property can be reflected most effectively in the subsidy rates. Congress should weigh carefully the following statement by Vice Chairman Adams as to this proceeding:

"I consider this kind of proceeding the best approach to the problem because it looks toward a policy consistent with the scheme of the Civil Aeronautics Act, fully supported by a complete economic record, and geared as closely as possible to the individual needs of the carrier."

In my opinion, that is the best guaranty of dealing fairly with the individual airlines without the possibility and apparent probability, of legislating unpredictable windfalls to a few carriers at the expense of many carriers which may be equally entitled to consideration and of substantially increased subsidy costs to the taxpayers generally. Enactment of this proposal would be a sharp reversal of the efforts which have been made by Congress and the executive department toward reducing and ultimately eliminating unnecessary waste in the form of unjustifiable subsidy grants. Certainly this proposal violates the principle that any subsidy should be justified by the "need" standard of the act. If not, the word "need" loses any significance and should be taken out of the act directly.

JOHN W. HESELTON.

Second, it is most significant that no Department or Agency of the Federal Government supports this proposal.

On the contrary, it is opposed vigorously and reasonably by the Comptroller General, by the Bureau of the Budget and by the Vice Chairman of the Civil Aeronautic Board, who was joined in his opposition by our former colleague, Honorable Ross Rizley, then Chairman of that Board.

I now insert several communications with reference to the bill which are self-explanatory.

First. A letter from Hon. Joseph Campbell, Comptroller General:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, July 17, 1956.

Hon. JOHN W. HESELTON,
House of Representatives.

DEAR MR. HESELTON: Reference is made to your letter of July 11, 1956, relative to H. R. 8902, pertaining to the reinvestment of air carriers of the proceeds from the sale or other disposition of certain operating property and equipment. In particular, you advise that you intend to offer a floor amendment and you request whatever further data we think might be pertinent and helpful in support of such an amendment.

In the course of its ratemaking functions the Civil Aeronautics Board properly has taken into consideration the matter of depreciation as an allowable item of expense in determining the "need" of the carrier under the terms of section 406 (b) of the act, which, of course, is an accepted principle adopted by most regulatory bodies. We also believe that since depreciation is not an exact science, it must be recognized that the establishment of the useful life and residual value of a given asset must of necessity be predicated upon estimates, the accuracy of which cannot be ascertained until actual disposition of the asset. Therefore, if, because of changed economic conditions, the established residual values pertaining to flight equipment owned by the air carriers results in the realization of profits in excess of the net book values at the time of disposition of such equipment, it is clear that depreciation over the preceding period was inaccurate.

The Board's depreciation policy generally has permitted a 7-year life on postwar aircraft with residual values of about 10 percent. Hence, by determining "need" under this practice, a carrier is able to recoup its cash investment in flight equipment through depreciation over that period. Also permitted as allowable expenses are inspection, maintenance and overhaul, since obviously a carrier is required at all times to operate safe and dependable aircraft which, of course, requires a constant outlay of expenditures. Therefore, in permitting these and other expenses, the Board has complied with the "need" element of section 406 (b). But to permit the Board now to disregard the profits realized from the sale of such equipment would permit those carriers to have enjoyed the benefit of a subsidy in excess of their "need." Furthermore, the carrier's depreciation has not amounted to a cash expenditure and, as pointed out by the Supreme Court in the case of *Western Air Lines, Inc.* v. *Civil Aeronautics Board, et al.* (347 U. S. 67), it has been permitted to retain its earnings plus a fair and reasonable return upon its investment.

In view of the foregoing, therefore, it is our considered opinion that the bill, if enacted, would make partially ineffective the decision of the Supreme Court of the United States in the Western case and, therefore, could result in an unwarranted burden upon the taxpayer. We also are of the belief that so long as the standard of assistance to a carrier is to be measured by its "need," as prescribed in section 406 (b) of the act, such assistance should be determined upon nothing less than the carriers "all other revenue," regardless of the source from which derived. Moreover, in appraising the matter from an equitable and pratical viewpoint it is manifest that the measure of assistance rendered to any carrier by a "need" standard should be based upon the premise of its actual overall requirements; otherwise, as stated in your minority report, the word "need" will have lost its significance. Furthermore, we concur in the statement of the Vice Chairman of the Civil Aeronautics Board that the bill is objectionable because it "is in conflict with the basic principles of the Civil Aeronautics Act and sound ratemaking policy in general."

Notwithstanding the foregoing, however, as an alternate to the proposed bill, H. R. 8902, we would suggest an amendment which would enable the Government ultimately to recoup through the Board's ratemaking process that portion of the profits realized from the sale of equipment which through former depreciation allowances already might have been paid for by the Government through its award of subsidy. Such an amendment should provide that capital gains from the sale of equipment by subsidized carriers would be initially retained by the carrier for reinvestment in new equipment. Recovery by the Government would be effected by action of the Board in fixing future mail rates first, by reducing the asset base upon which depreciation expense would be allowed and, second, by reducing the investment base upon which a rate of return is computed. Thus, assuming the carrier remains on subsidy throughout the depreciable life of the new equipment, the Government would, through reduced subsidy payments, recoup over that period of time, the full amount of capital gains earned by the carrier and reinvested in the new equipment. Furthermore, if, prior to the time that the equipment is fully depreciated, the Board should determine that the carrier no longer requires the "need" portion of the mail rate there would revert to the Government any balance of the reinvested capital gains not otherwise recovered through a reduced depreciation allowance and return on investment.

In conclusion, it is significant to observe that the present act appears not to have been an undue burden as evidenced by the

fact that certain carriers already have entered into extensive commitments for future delivery of equipment.

If we can be of any further assistance to you in this matter, please do not hestiate to call on us.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

Second. A letter from Hon. Percy Rappaport, Assistant Director, Bureau of the Budget:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 12, 1956.

Hon. JOHN W. HESELTON,
House of Representatives,
Washington, D. C.

MY DEAR MR. HESELTON: You asked this morning to be advised as to how H. R. 8902, as reported, should be amended to take account of the alternative proposal which the Bureau of the Budget recommended to the House Interstate and Foreign Commerce Committee in its letter of May 9, 1956.

The amendment would be accomplished by substituting the enclosed draft language for section 1 of H. R. 8902 as reported.

The amendment would in general make two major changes in H. R. 8902 as reported: (1) It would allow subsidized carriers to retain their capital gains for investment in new flight equipment but provide that the investment representing such gains would not thereafter be recognized in allowing depreciation and return on investment for subsidy purposes; (2) the capital gains concerned would be limited to those resulting from disposition of flight equipment rather than those from disposition of "depreciable property used or useful in the carrier's normal operations" as provided in H. R. 8902 as reported.

Copies of the Bureau's letters of May 2 and May 9 to the House Interstate and Foreign Commerce Committee are enclosed for your convenience.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

AMENDMENT OF SECTION 406 (B) RELATING TO REINVESTMENT OF NET GAINS FROM DISPOSITION OF FLIGHT EQUIPMENT

That section 406 (b) of the Civil Aeronautics Act of 1938, as amended, is hereby amended as follows:

(a) By redesignating section "406 (b)" as section "406 (b) (1)."

(b) By adding the following paragraphs after paragraph (1):

"(2) In determining all other revenue of the air carrier, the Board shall not take into account the net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the disposition of any flight equipment of such carrier, if (A) such carrier notifies the Board in writing that it intends to reinvest in other flight equipment the proceeds derived from such disposition, (B) such proceeds, less all applicable taxes, are placed by such carrier in a funded reinvestment reserve immediately upon the receipt thereof, and (C) within a reasonable period to be determined and fixed by the Board, such proceeds are actually reinvested in other flight equipment by such carrier.

"(3) Hereafter in determining that portion of the carrier's mail rate which is payable by the Board (which portion is hereinafter referred to as "subsidy") the Board shall compute such carrier's depreciation expense and return on investment after first deducting the net gains not taken into account in determining all other revenue of such carrier from the original cost to such carrier of the flight equipment in which such net gains have been reinvested.

"(4) In the event the Board determines that the carrier no longer required subsidy, there shall be deducted from all subsidy to be paid to such carrier after the effective date of this amendment, or there shall be otherwise recovered from such carrier, an amount equal to the total net gains not taken into account in determining all other revenue of such carrier minus the total amounts by which such carrier's depreciation expense has been reduced on account of and solely by the application of paragraph (3) above. Such amount shall be determined as of the date the carrier no longer requires subsidy."

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 9, 1956.

Hon. J. PERCY PRIEST,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: In our letter of May 2, 1956, this office replied to your request for views on H. R. 8902 and H. R. 8903, identical bills, to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended. In our letter you were advised that the Bureau of the Budget does not favor enactment of this legislation. However, an alternative was suggested for the committee's consideration if it wished to take action at this time. In view of certain advantages of that alternative, it is believed that your committee may be aided by further elaboration of it.

In greater detail, the alternative would operate as follows:

(1) Carriers would be permitted to retain net capital gains on the sale of equipment, provided these were applied within a reasonable period to the purchase of like equipment.

This provision would accomplish the same objectives as H. R. 8902 and H. R. 8903.

(2) While retained for reinvestment, the capital gains would not be recognized as part of the carrier's investment base for subsidy purposes nor would these retained amounts be available for dividends.

This limitation may be regarded as implicit in H. R. 8902 and H. R. 8903, but it may be desirable to state it explicitly.

(3) After reinvestment of gains by the carrier, the Board could establish subsidy without recognizing the reinvested amounts.

The effect of this can be illustrated in terms of the two basic elements in a carrier's subsidy, break-even need and return on investment.

Break-even need: For subsidy purposes, depreciation expense is recognized in computing break-even need. Under the alternative suggested, depreciation expense would be computed as follows: Assuming a 7-year life for the new equipment purchased with the help of capital gains, the Board would allow the carrier, not one-seventh of the cost of the new asset, but one-seventh of an amount equal to the cost of the new asset minus the retained profits used in its purchase. To illustrate—If a carrier should purchase new aircraft at a cost of $14 million to which it has applied retained capital gains of $3,500,000, under the provisions of H. R. 8902 and 8903 it would be entitled for subsidy purposes to annual depreciation of $2 million (one-seventh of $14 million); under the suggested alternative, the annual depreciation in this connection would be $1,500,000 (one-seventh of $10,500,000 ($14 million minus $3,500,000)). It can thus be seen that over the 7-year life of the equipment the entire amount of the capital gain would be offset against subsidy otherwise payable in amounts of $500,000 per year.

Return on investment: In allowing the customary return on investment as part of subsidy, the value of the carrier's assets would be recognized net of reinvested capital gains. To illustrate—A carrier's investment base consists solely of equipment just purchased at a cost of $14 million with the help of capital gains of $3,500,000 and a return of 8 percent is allowed; under H. R. 8902 and H. R. 8903 subsidy would be as follows:

First year:	
Investment (at cost)	$14,000,000
Subsidy (8 percent of $14 million)	1,120,000
Second year:	
Investment (at cost less depreciation (one-seventh of $14 million))	12,000,000
Subsidy (8 percent of $12 million)	960,000

This pattern would be followed until the asset is fully depreciated.

Under the suggested alternative, subsidy would be as follows:

First year:	
Investment (at cost less capital gain)	$10,500,000
Subsidy (8 percent of $10,500,000)	840,000
Second year:	
Investment (at net cost ($10,500,000) less depreciation (one-seventh of $10,500,000))	9,000,000
Subsidy (8 percent of $9 million)	720,000

This pattern would be followed until the asset is fully depreciated.

The savings to the Government on this basis would compensate it for the interest-free retention by the carrier of its capital gains.

(4) If a carrier reaches unsubsidized status before its retained capital gains have been fully offset against subsidy, as indicated in (3) above, adequate provision should be made for the Government to recapture the balance of the capital gain.

The foregoing alternative is brought to the attention of your committee in the belief that it may make it possible to accomplish the desirable objectives of H. R. 8902 and H. R. 8903 without increasing the cost to the Government. As an additional benefit to both the carriers and the Government, the alternative would appear likely to minimize distortions in carrier earnings and air carrier subsidy totals which would coincide with the taking of capital gains, and which could serve to obscure the progress of the industry and individual carriers toward subsidy free status.

This office will of course be pleased to be of such further assistance as may be needed.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 2, 1956.

Hon. J. PERCY PRIEST,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington 25, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letters of February 1, 1956, requesting the views of this office with respect to H. R. 8902 and H. R. 8903, identical bills, "to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended."

These bills provide that the Civil Aeronautics Board shall not take into account gains or losses resulting from the sale of property in determining all other revenue of an air carrier for subsidy purposes. The gains must, however, be reinvested in similar

property within a reasonable period. The apparent objective of the bills is to assist subsidized carriers in buying new aircraft.

As has been pointed out in agency reports and testimony before your committee, these bills would in general require higher subsidy payments than under the Board's current rate-making practices. Questions have also been raised as to whether the inducement to reequipping which the bills intend is actually needed or would apply equitably to all carriers; or stated another way, whether the Civil Aeronautics Act and the Board's present practices would not adequately provide for essential reequipping needs of subsidized carriers.

It is understood that the Board recently instituted a proceeding to develop a record on which to formulate a policy for dealing with the profits from retirement of equipment, and that the proceeding will take into account the reequipping problem. We believe it would be highly desirable to have the benefit of the record which will be developed in this proceeding in deciding what changes in the basic law may be needed.

In view of the foregoing the Bureau of the Budget does not favor enactment of this legislation.

If your committee wishes to take action at this time, however, we suggest that it explore alternatives which would protect the Government against higher subsidy payments. For example, it might be possible to provide for the gradual offset of capital gains against subsidy by authorizing reinvestment of gains in appropriate cases, if the investment representing such gains were not thereafter recognized in allowing depreciation and return on investment for subsidy purposes, and if the Government's interests were fully protected should a carrier's subsidy need end before the reinvested amounts had thus been offset fully against subsidy.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

Third. A letter from Hon. Joseph P. Adams, Vice Chairman, Civil Aeronautics Board:

CIVIL AERONAUTICS BOARD,
Washington, July 16, 1956.

Hon. JOHN W. HESELTON,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN HESELTON: Thank you for your letter of July 10, 1956, enclosing your minority report on H. R. 8902 and requesting my comments. I continue to be strongly opposed to this bill, and the comments that follow merely reaffirm and elaborate the statement that I previously submitted to the House Interstate and Foreign Commerce Committee.

1. Principle of individual need: I like the emphasis your report gives to the fact that the bill provides for a departure from the present standard of the "need" of the individual carrier. The present standard is something more than an historical accident or a fetish. It is based on obvious principles of fairness to the carriers and regard for the public treasury. It is backed by 18 years of successful administration under which our carriers have experienced nothing short of phenomenal growth. I can think of only one justification for departing from an individual "need" basis for awarding subsidy, and that would be on a showing that the burden and expense of proceeding on such a basis outweigh the waste and inequity involved in a broad-stroke approach. That no such justification exists here is attested by the fact that to my knowledge it has never been so much as mentioned by anyone.

2. The meaning of "need": There is, unfortunately, much confusion about the meaning of "need" in our act as the Board has interpreted and applied it. It calls for more than just making up the deficit of a carrier after taking into consideration all of its direct and incidental income from its transportation activities. It includes a reasonable profit element, after taxes, which now stands at 7 percent on the invested capital for a past period and 8 and 9 percent for a future period, depending on whether domestic or foreign operations are involved. It should be emphasized that this profit allowance is over and above the allowance to cover the deficit. And it should be emphasized, further, that included in operating expenses is an allowance for depreciation on aircraft and all other used and useful equipment and facilities. Thus, while a carrier is legally and technically the purchaser and owner of its aircraft, the Government and the public pay for such aircraft through annual allowances for depreciation, and further, compensate the carrier for its initial outlay of the purchase price by an allowance of a reasonable return on such outlay. This is precisely what has happened and is happening with respect to the aircraft the carriers now have on hand, and this is precisely what will happen when they purchase new aircraft. When the carriers purchase new aircraft, the full purchase price will go into their respective investment bases and they will be entitled to a reasonable return on their outlay. In addition, they will be able to recover the principal through annual allowances for depreciation.

It is obvious, then, that what the carriers are asking for, and the pending bills intend to give them, is something over and above what the Board normally allows them—that is, something in addition to meeting their deficits and an allowance of a reasonable profit on their invested capital. Why should a carrier receive more than that without showing need for the additional amount? If any carrier can show a need for more, I know of nothing in our act, or in the decisions of the Board or the courts, that would prohibit the Board from giving additional subsidy. The "need" provision in section 406, together with the broad policy declarations of our act, afford the Board wide discretion. The fact is, however, that thus far no carrier has been able to show such additional need, and from the discussion above, it is obvious why such a showing would be most difficult to make, and well it should be. It might be of interest to quote a paragraph from the Board's opinion in the reopened Transatlantic Final Mail Rate case (order serial No. E–10117, March 23, 1956) in answer to Pan American's plea that excess earnings should be left with it for the purchase of new equipment.

"Moreover, the evidence does not establish that PAA will be left, even after its earnings are reduced by our action here, in a situation where it will not be able to attract capital on fair terms. Aside from what we have already discussed, the only real evidence of PAA's ability to raise capital is a recent debt flotation. If that loan (of $60 million at 3¾ percent payable over a period of years from 1966) does not positively establish its ability to attract capital on fair terms, it certainly is evidence of this ability which we do not find contradicted by anything else in the record."

3. Windfall and inequity in H. R. 8902: "Windfall" is not a pretty word, and yet when one considers the table on page 4 of your report showing that had H. R. 8902 been law since 1951, the subsidy would have been approximately $22 million higher, he might be at a loss for a better word to characterize the result that this bill would accomplish. I do not believe that anyone will dare say that the development of air transportation in the past 5 years has suffered as a result of that saving in subsidy, or that our carriers have been short-changed. Nor do I believe that anyone will be able to say anything like that in the next several years if this bill is defeated and the Government saves the substantial amounts indicated in the table appended to this letter.

Quite aside from the windfall aspects of this bill, one must be struck with its inequitable and haphazard basis for leaving equipment profits with the carriers. The two tables referred to above immediately reveal how little the need factor enters into the matter and how small the benefit would be to most of the subsidized carriers. The glaring case in point is the local service airlines. Their financial problems for new equipment appear to be at least as great, relatively, as those encountered by the large and powerful airlines. And yet, what does this bill hold for them, especially when it is considered that by the time their reequipment programs get into full swing the market for the DC–3 might well be seriously depressed?

In connection with the local service industry, I should like to reiterate my previous position before the House Interstate and Foreign Commerce Committee to the effect that I do not consider my opposition to this bill to be inconsistent with my vigorous interest in, and support of the continuing devopment of this industry. I am of the strong opinion that the best way of insuring their economically sound development in the best interests of the relatively small communities which they serve is for the Board to continue an enlightened program of strengthening their routes rather than their bringing about a change in the existing rate-making standards which have proved to be sound over the past 18 years.

4. Budget Bureau amendment: You have specifically requested me to comment on a possible amendment to H. R. 8902, suggested by the Bureau of the Budget in a letter of May 9, 1956, to the chairman of the House Interstate and Foreign Commerce Committee. I understand that this amendment was suggested by the Bureau of the Budget in an attempt to head off the payment of increased subsidies and at the same time meet the argument of some supporters of the bill to the effect that what the carriers are really interested in is help in financing new equipment purchases and not necessarily in keeping the profits. The amendment would accomplish this by providing that the profits from equipment sales, which are reinvested in new equipment, would not be recognized either for depreciation or for return on investment purposes. A further, and very important, provision of the amendment is that in the event a carrier goes off subsidy before the Government fully recoups the equipment gains through depreciation, the balance must be remitted by the carrier. The practical effect of the amendment is that the carrier would initially have the amount of the equipment gains as a loan to be repaid to the Government in equal annual installments during the life of the new equipment that was purchased. While the carrier would pay no interest on such loan, it would, on the other hand, not receive a return on that amount, as it would be entitled to if the money were borrowed elsewhere. A bill with such provisions would obviate the essential objections I have stated above.

I hope that the length of this letter does not burden you too much. I felt that at least some of these thoughts and facts would be of assistance to you and meet your request for comment. The expressions of opinion are, of course, my own, and do not necessarily reflect the views of any present members of the Board. Please let me know if I can be of further assistance.

Sincerely yours,

JOSEPH P. ADAMS.

Carrier	Depreciated cost as of Dec. 31, 1955	Estimated market value
Braniff	$14,269,711	$30,610,000
Continental	4,888,139	10,100,000
Northeast	1,227,258	4,200,000
Allegheny	1,024,845	2,300,000
Bonanza	350,440	800,000
Central	147,561	900,000
Frontier	285,725	1,300,000
Lake Central	281,285	800,000
Mohawk	1,677,913	2,900,000
North Central	810,582	1,800,000
Ozark	574,493	1,600,000
Piedmont	604,200	1,700,000
Southern	483,962	1,300,000
Southwest	1,059,487	2,200,000
Trans Texas	451,273	1,600,000
West Coast	568,369	1,300,000
Alaska Airlines	168,822	1,369,000
Alaska Coastal	96,322	259,500
Byers	30,915	32,000
Cordova	149,100	239,500
Ellis	50,179	189,000
Northern Consolidated	105,594	465,000
Pacific Northern	257,865	1,400,000
Reeve Aleutian	12,115	345,000
Wien Alaska	200,390	566,000
Hawaiian	2,039,929	3,800,000
Trans Pacific	78,722	500,000
Helicopter	101,853	240,000
Los Angeles	304,576	580,000
New York	322,939	500,000
Pan American	79,147,000	130,200,000
Panagra	15,233,755	22,800,000
Total	127,005,319	228,895,000

APPENDIX

The table on the next page sets forth for each subsidized air carrier a comparison of the depreciated cost with the estimated market value of the aircraft owned by each such carrier. The depreciated cost data are as reported by the carriers on their form 41 reports to the Board as of December 31, 1955. These data reflect the depreciated cost of airframes and engines, which represent the bulk of the carriers' investment in flight equipment, and do not include other items such as spare parts and assemblies since it is not feasible to estimate the market value of the latter on the basis of information readily available.

The estimated market values are based upon representative sale prices reported in the last year. The estimates do not reflect the very highest prices reported in isolated instances but are believed to be typical of the general market for such aircraft over a reasonable period of time.

The difference between estimated market value and depreciated cost, which amounts to approximately $102 million for these carriers, should be considered with a good deal of caution in projecting the potential benefits to the carriers to be provided by H. R. 8902 or, conversely, the potential cost to the taxpayers. In the first place, the potential reduction of subsidy is obviously limited by the total subsidy to be paid. The Board has estimated for budget purposes that these carriers will require $46,486,000 of subsidy in fiscal year 1957. In the second place, the estimate of market value of the aircraft owned by these carriers is based upon the prices realized when relatively small numbers of aircraft have been sold from time-to-time in the recent past. Market values could be different if large numbers of aircraft were to be put up for sale within a short space of time.

Fourth. Perhaps the strongest argument for not approving or voting for this proposal during these dying days of this Congress is the capital-gains proceeding begun by the Civil Aeronautics Board on April 6, 1956, on which the prehearing conference report was issued only 15 days ago, on July 3, 1956, with a full-scale hearing tentatively scheduled here in Washington on November 14, 1956.

I know of no opponent to this particular legislative proposal who does not recognize the existence of a problem as to how best and fairly to deal with gains and losses upon the retirement of property of the airlines. But Congress is on clear notice as to this proceeding before the Civil Aeronautics Board and as to its vital importance in any sound solution of the problem through the following statement of Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board:

I consider this kind of proceeding the best approach to the problem because it looks toward a policy consistent with the scheme of the Civil Aeronautics Act, fully supported by a complete economic record, and geared as closely as possible to the individual needs of the carrier.

One of the most unfair and unjustifiable results of this proposal would be its favored treatment of a very few large airlines, without regard to the equally legitimate interests of the many other airlines, and wholly at the expense of the taxpayers generally.

Only those airlines still receiving subsidies would benefit under this legislation.

No airline which is off subsidies could receive a single penny from the Federal Treasury.

It seems to me both relevant and important to list here the facts as to these two classifications of certificated airlines.

The following is the list of nonsubsidized United States Certificated Air Carriers:

JULY 18, 1956.

Name	Date carrier became subsidy-free [1]
American Airlines, Inc	Jan. 1, 1951
Capital Airlines, Inc	Oct. 1, 1951
Caribbean-Atlantic Airlines, Inc.	July 1, 1955
Delta Air Lines, Inc	Oct. 1, 1951
Eastern Air Lines, Inc	Jan. 1, 1951
National Airlines, Inc	Jan. 1, 1952
Northwest Airlines, Inc	Jan. 1, 1955
Trans World Airlines, Inc	Jan. 1, 1954
United Air Lines, Inc	Jan. 1, 1951
Western Air Lines, Inc	Oct. 1, 1951
American Air Export & Import Co.	([2])
The Flying Tiger Line Inc	([2])
Riddle Airlines, Inc	([2])
Slick Airways, Inc	([2])

[1] Indicates date when each carrier's entire system became subsidy-free. Various of these carriers have operated on a nonsubsidy basis during earlier periods (e. g., during World War II) and subsequently reverted to a subsidy status.

[2] These carriers were recently certificated to carry mail on a nonsubsidy basis. Thus, these carriers have not received any subsidy to date.

The following is a list of United States Air Carriers currently receiving subsidies from the Federal Treasury, with a summary of the amounts of subsidies accruing to each airline in the fiscal years 1939–56:

JULY 18, 1956.

	Amount [1]
Braniff Airways, Inc	$24,955,000
Continental Air Lines, Inc	12,709,000
Northeast Airlines, Inc	18,905,000
Allegheny Airlines, Inc	16,445,000
Bonanza Air Lines, Inc	5,086,000
Central Airlines, Inc	$10,308,000
Frontier Airlines, Inc	17,695,000
Lake Central Airlines, Inc	6,937,000
Mohawk Airlines, Inc	5,852,000
North Central Airlines, Inc	12,598,000
Ozark Air Lines, Inc	11,235,000
Piedmont Aviation, Inc	12,060,000
Southern Airways, Inc	11,605,000
Southwest Airways Co	10,319,000
Trans-Texas Airways	16,239,000
West Coast Airlines, Inc	10,815,000
Helicopter Air Service, Inc	[2] 1,277,000
Los Angeles Airways, Inc	[2] 2,452,000
New York Airways, Inc	[2] 4,316,000
Alaska Airlines, Inc	12,662,000
Alaska Coastal Airlines	1,993,000
Byers Airways, Inc	274,000
Cordova Airlines	1,653,000
Ellis Airlines	1,677,000
Northern Consolidated Airlines, Inc	6,291,000
Pacific Northern Airlines, Inc	8,128,000
Reeve Aleutian Airways, Inc	247,000
Wien Alaska Airlines, Inc	6,238,000
Hawaiian Airlines, Ltd	2,296,000
Trans-Pacific Airlines, Ltd	823,000
Pan American-Grace Airways, Inc	28,511,000
Pan American World Airways, Inc	219,768,000
Total	502,915,000

[1] Data for fiscal years 1951–56 are from the Board's subsidy separation reports. Data for the earlier years were developed on a basis consistent with the separation reports.

[2] Amounts relate to fiscal years 1954–56. Prior to this period no passenger service was provided by these carriers and all of their mail compensation was designated as service mail pay.

I know of no means by which the effect of this legislative proposal in terms of future payments of subsidies from the Federal Treasury can be forecast accurately. But, as I have indicated in my minority report, the tabulation prepared by the Department of Commerce is indicative.

Pan American, one of the most vigorous proponents of this legislation, would have received approximately $17,288,000 if this had been law during the last 5 years.

Three other airlines would have received approximately $4,210,000.

Fifteen other subsidized airlines would have received the balance, approximately $402,790.

Twenty-nine other subsidized airlines would have received nothing.

Clearly this would be a sharp departure from the "need" test or standard of the law, which is the only conceivable justification for continuing to pay subsidies from the Federal Treasury to some airlines.

Obviously, the proposal, however it has been or may be presented as of value to the small local feeder airlines, actually would be legislating unpredictable windfalls to a favored few.

Another test of this proposal can be made in terms of competition.

Clearly Pan American stands to gain most. It has on order new jet planes, which I have been advised cost more than $260 million.

I understand that the estimated profit from the sale of Pan American old equipment might be as large as $100 million.

And it cannot be denied that the Federal Government, for reasons of national policy, gives to subsidized airlines outright payments from the Treasury which, after taxes, now stands at 7 percent on the invested capital for a past period

and 8 and 9 percent for a future period, depending upon whether domestic or foreign operations are involved.

Yet a competitor of Pan American, even though it receives no subsidies, must also find ways to purchase equally good modern planes, if it is to compete effectively. One striking example, in terms of comparative revenues illustrates that point graphically.

Pan American's Pacific revenues, over its exclusive central Pacific route, are about $60 million annually. Yet it is willing and anxious to have the American taxpayers forced to contribute substantially to its purchase of modern equipment, above and beyond its present large subsidies.

Northwest's total international revenues are about $21 million a year. It is off subsidies. But since it must have modern equipment, it must purchase it without recourse to the Federal Treasury if it is to compete with Pan American, a much larger airline and the prime beneficiary of this proposal.

We are expected to disregard all this and to pay no attention to the unsuccessful efforts to upset the awarding of subsidies on the established and sound basis of need in the case before the United States court of appeals, in the case before the Supreme Court of the United States, and in the ruling of the Civil Aeronautics Board in the System Mail Rate case, involving Pan American, only last December.

There will be another session of Congress in a few months' time. It will have the benefit of the Civil Aeronautics Board's considered rulings and decisions upon all the facts in the pending proceeding.

If Pan American or any other subsidized airline thinks then that it has been treated unfairly or can show that it needs more money from the taxpayers, it can come before Congress and prove it.

I submit that, on all the facts, the bill should be rejected by the House.

In any event, I shall offer the amendment suggested by the Bureau of the Budget, if the bill comes to the floor under the rule. Of course, such an amendment could not be offered if the bill comes before the House on suspension of rules. In that case, I submit that, on all the facts, the House should reject the bill.

SALE AND USE OF ALCOHOLIC BEVERAGES ON AIRLINES SHOULD BE PROHIBITED

The SPEAKER. Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 5 minutes.

Mr. REES of Kansas. Mr. Speaker, I take this time to call the attention of the membership of the House to proposed legislation presently pending that would prevent the sale and furnishing of alcoholic liquor to airplane passengers.

There are several bills dealing with the subject matter. One of them, H. R. 8000, by the Honorable JOHN BELL WILLIAMS is presently pending on the calendar. I hope it will be approved by the House and enacted into law before the present session is brought to a close. My colleague, the Honorable WINT SMITH, of Kansas, has introduced a similar bill that cannot be misunderstood. It reads as follows:

> No air carrier shall sell or otherwise furnish to its passengers alcoholic beverages (including wine and beer) for consumption while in flight within the United States.

It is extremely important that this legislation be approved as a safety measure. No one knows this better than the airline pilots and the stewardesses who are in charge of the planes. They are required to take every precaution available for the safety of the passengers and yet here is one where the stewardesses and the airline pilots have been overruled.

I call your attention to a resolution recently approved by the Airline Pilots Association. It reads as follows:

> *Therefore be it resolved,* That the Airline Pilots Association is opposed to the serving of alcoholic beverages aboard aircraft, the providing of setups aboard aircraft, or any other practices which will encourage drinking alcoholic beverages on board aircraft.

This legislation is also vigorously supported by airline stewardesses.

Of course, the use of intoxicating liquor does no one any good any time or anywhere. The excessive use of it is bound to result in harm. The question involved in this legislation goes beyond whether a person favors the use of intoxicating liquor. This involves a question of safety for those who operate the planes, as well as the passengers who ride the planes. I am amazed and disappointed that the management of the airlines would not be glad to cooperate in support of the resolution approved by the Airline Pilots Association. For years the air crews' unions have been urging nonalcoholic rules for domestic flights.

I quote from a statement that appeared in the last issue of Newsweek. Here is what it says:

> Crew members have cited cases of overloaded riders slugging pilots, stewardesses cut by exploding champagne bottles, and other social problems of drinking on planes. A spokesman for the Airline Pilots Association points out that 2 drinks at altitude pack the wallop of 4 on the ground and that crews still must enforce the rules. "It is quite a job," this man added, "to be a bouncer and a pilot at the same time."

Again, I am deeply concerned that this proposal shall not be lost in the shuffle, but that it be enacted as promptly as may be done.

SOCIAL SECURITY BENEFITS

The SPEAKER. Under previous order of the House, the gentleman from Kentucky [Mr. PERKINS] is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, one of my great concerns since I have been in Congress has been that the people who are permanently and totally disabled should be entitled to social-security benefits, and that the retirement age should be lowered. I have repeatedly introduced amendments which would pay disabled benefits at any age. In 1949 I voted for the House proposal which would have provided disability benefits, but this measure was defeated in the Senate. It was with satisfaction, therefore, that I viewed the action of the Senate in adopting the George amendment which will provide disability benefits to many Americans. The Senate amendment does not go as far as I would like to go, but it is an important step in our social-security system.

The restrictive provisions of this social security disability program are such that less than one-third of the persons now totally disabled will be able to qualify. In my opinion the eligibility requirements for totally disabled persons should be no more restrictive than for those persons reaching retirement age. To a worker at age 30 to 35 who becomes totally disabled, the need is usually more for social security payments than a worker at age 60.

At any rate, the Senate has approved the principle of disabled benefits and of a lower retirement age for women. Moreover, they have gone a step further than did the House bill, in that they have increased the Federal share for public-assistance programs for the aged, the disabled and the blind by some $5 to $7, for each recipient. This measuring formula has been placed on a permanent basis rather than on a temporary basis by the Senate amendment.

Mr. Speaker, it was with pleasure that I appeared before the Committee on Finance to urge the enactment of a similar provision. At that time I said:

> I am confident that this committee will give full consideration to these important human problems as well as to other important aspects of this legislation in your recommendations to the Senate. I am equally convinced that we are capable, in this country, of administering such a system efficiently and equitably. It is part of our American heritage to combine a concern with individual human welfare with the ability to find good workable answers—and our social security system is certainly no exception. As I have indicated, I also believe that we will make a very important step forward in providing security for American homes by lowering the eligibility age for women under the social security system from age 65 to at least age 62. I believe, moreover, that we should make a similar adjustment in the old-age assistance program so that those needy women who cannot qualify for social security benefits, may also become eligible for Federal aid in furnishing old-age assistance payments at age 62.
>
> To further enable the States to more adequately provide for the aged who are forced by lack of funds to apply for old-age assistance payments, I also am happy to endorse the proposal of Senator LONG and some 40 other Senators which would increase the Federal share for old-age assistance payments so that the Federal Government would provide $25 of the first $30 of each average payment, and half of the rest up to a maximum of $65.
>
> I have felt for many years that our present law should be amended to take care of those widows who need assistance after their children become 18 years of age. Under the present law, payments cease for those widows upon their last child becoming 18 years of age. The widow is no longer entitled to social security payments until she becomes 65 years old. I am hopeful that Congress will bridge this gap.

As I have said, I am delighted that the Senate bill accepted this increase in the Federal share for payments for old-age assistance and also for the aid to the

blind, and the aid to the totally and permanently disabled program of the public assistance program. I am also happy to endorse the Senate provision which will allow people on old-age assistance to earn up to $50 before the need test can be applied. This means on outside income.

Personally I have always been against restrictions and regulations that would require an old-age individual who cannot qualify for social security payments to completely take the pauper's oath before he is entitled to receive benefits. Our welfare laws were never intended to be so unjust. I am in wholehearted agreement with the pass-on provision in the Senate amendment which in effect requires the States to pass on this increase to the recipients. But I am concerned that the Senate bill makes no provision for an increase in the Federal share for the aid to dependent children's program of public assistance. In increasing the Federal share for public assistance programs in the past, the increase provision was applied proportionately to all four programs. It doesn't seem wise to me at the present time to make an exception for the 1 important program concerned with needy children, and I hope the conferees will take this matter into account so that a proportionate increase can be made for the aid to dependent children's program, as well as for the other 3 programs which were provided for in the Senate bill.

The total cost of this increase is estimated at $208 million per year, but this will decrease as the broader coverage of the old-age and retirement program are rapidly transferring farmers and self-employed workers from the welfare roles to the old-age and retirement roles. These provisions tending to bring the program into line with current economic conditions were approved in the Senate by a vote which closely followed party lines.

I believe that the House provision which will provide full benefits at age 62 for all women—widows, wives, and women workers—is better than the Senate plan which would provide such benefits at age 62, but only if they elect to take a reduced benefit for the rest of their lives. Only widows are entitled to full benefits at age 62 in the Senate version. I feel that this matter, too, can be resolved in conference in favor of the House version.

I heartily approve the action of the Senate in adopting the amendment for continuing payments to the physically handicapped and mentally retarded children after their 18th birthday. Also applicants over 18 years are able to make application for the first time under the Senate amendment. This is an amendment long overdue but will redound to the welfare of thousands of disabled children who otherwise would continue to suffer.

Mr. Speaker, I am hopeful that the House conferees will go along with the Long amendment. Our old-age people well deserve this $5 to $7 increase and I sincerely hope that the House conferees will insist that this same increase be extended to cover dependent children. The increase in 1952 affected all groups across the board. Dependent children should not be discriminated against in this instance. Personally I feel that our conferees should insist on the House provision in lowering the retirement age for women to 62 instead of the Senate version.

Mr. Speaker, this improved social-security legislation gives the common people in this country who need it most a little lift—the aged, the blind, and the totally and permanently disabled groups.

To make certain that we are able to give some aid to these groups at this session of Congress, the conferees should act as speedily as possible in order to give the Members a chance to act on any adverse action the President may take. I regret personally that the administration opposes these worthwhile amendments. I also regretted to see the vote on such a humane issue as the disability provision follow closely along party lines with only 6 Republicans voting for this amendment, while on the other hand 41 Democrats supported the amendment. I certainly hope that the Chief Executive will approve this measure and not follow the views expressed by his Secretary of Health, Education, and Welfare.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GORDON (at the request of Mr. MURRAY of Illinois), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. METCALF, at the request of Mr. REUSS, for 1 hour on Friday, July 20.

Mr. REUSS, for 30 minutes on Friday, July 20.

Mr. PERKINS, for 10 minutes today.

Mr. HENDERSON (at the request of Mr. HILL), for 30 minutes on Thursday and Friday of this week.

Mr. DONDERO, for 30 minutes on Friday next.

Mr. SAYLOR, for 60 minutes, on Friday.

Mrs. ROGERS of Massachusetts, for 5 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE (at the request of Mr. MCCORMACK).

Mr. PHILBIN and to include extraneous matter.

Mr. FORAND and to include an explanation of the tax bill introduced by him today.

Mr. MULTER and to include extraneous matter.

Mr. MILLER of Nebraska and to include a speech.

Mr. HENDERSON (at the request of Mr. HILL) and include extraneous matter.

Mr. KEARNEY.

Mr. JACKSON in two instances and include extraneous matter.

Mr. GAVIN.

Mr. COOLEY (at the request of Mr. THOMPSON of Texas) and include extraneous matter.

Mr. SIMPSON of Illinois (at the request of Mr. MARTIN) and to include extraneous matter.

Mr. MCCULLOCH.

Mr. DONOVAN, the remarks he made in the Committee following the teller vote on the Dodd amendment and to include an editorial from the New York Daily News.

Mr. DONOHUE and to include extraneous matter.

Mr. DINGELL (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. BROOKS of Louisiana and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2111. An act to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services;

H. R. 5566. An act to terminate the existence of the Indian Claims Commission, and for other purposes;

H. R. 7380. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities;

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah; and

H. R. 10285. An act to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks, to provide for supervision of production credit associations, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1358. An act to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513–512–R, Richardson County, Nebr.;

S. 1384. An act to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes;

S. 2092. An act transferring to the jurisdiction of the Department of the Army the bridge across the Missouri River between the Fort Leavenworth military reservation in Kansas and Platte County, Mo., and authorizing its removal;

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2305. An act to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property;

S. 2424. An act to provide that lock and dam No. 17 on Black Warrior River, Ala., shall

hereafter be known and designated as the John Hollis Bankhead lock and dam.

S. 2517. An act to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska;

S. 2711. An act to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia;

S. 3032. An act granting the consent and approval of Congress to the Middle Atlantic Interstate Forest Fire Protection Compact;

S. 3120. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3180. An act to amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research;

S. 3344. An act to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site;

S. 3388. An act to provide for the conveyance of certain real property of the United States to the port of Port Townsend, Wash.;

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation, in Wyoming, and for other purposes;

S. 3412. An act to extend the provisions of title XIII of the Civil Aeronautics Act of 1938, as amended, relating to war-risk insurance for an additional 5 years;

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico; and

S. J. Res. 182. Joint resolution to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 483. An act to amend the Army-Navy-Public Health Services Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy;

H. R. 842. An act granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes;

H. R. 1403. An act for the relief of Anthony J. Varca, Jr.;

H. R. 1535. An act for the relief of Cabrillo Land Co., of San Diego, Calif.;

H. R. 2111. An act to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services;

H. R. 3733. An act for the relief of Charles A. Barron;

H. R. 3987. An act for the relief of Onie Hack;

H. R. 4456. An act for the relief of Corp. Oscar H. Mash, Jr.;

H. R. 5868. An act for the relief of the estate of Gertrude I. Keep;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 7190. An act restoring to tribal ownership certain lands upon the Colville Indian Reservation, Washington, and for other purposes;

H. R. 7611. An act to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commanders;

H. R. 7646. An act to authorize the Secretaries of the military departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation;

H. R. 7943. An act to change the name of the Government Locks at Ballard, Wash., to the "Hiram M. Chittenden Locks";

H. R. 8005. An act to provide for the conveyance to the Mathew American Horse American Legion Post No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle;

H. R. 8290. An act to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes;

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistments;

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah.

H. R. 9106. An act for the relief of Saul Lehman;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 9451. An act to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians;

H. R. 9500. An act to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service;

H. R. 10011. An act for the relief of Jess Gary;

H. R. 10199. An act for the relief of A. O. Nissen and Don Nissen;

H. R. 10285. An act to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks; to provide for supervision of production credit associations; and for other purposes;

H. R. 10368. An act to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes;

H. R. 10375. An act to amend the act entitled "An act to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia," approved March 4, 1929;

H. R. 10670. An act to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in the District of Columbia institutions located in Maryland and Virginia;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 10964. An act to provide for municipal use of storage water in Benbrook Dam, Tex.;

H. R. 11010. An act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 11320. An act to effect the control of narcotics and dangerous drugs in the District of Columbia, and for other purposes;

H. R. 11346. An act for the relief of Camillus Bothwell Jeter;

H. R. 11375. An act to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children;

H. R. 11488. An act to amend the District of Columbia Traffic Act, 1925, as amended;

H. R. 11530. An act for the relief of M. Sgt. Harold LeRoy Allen;

H. R. 11611. An act to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas;

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama;

H. J. Res. 621. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 626. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 627. Joint resolution for the relief of certain aliens; and

H. J. Res. 638. Joint resolution to facilitate the admission into the United States of certain fiances of United States citizens.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Thursday, July 19, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2064. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 7, 1943 (57 Stat.

380) as amended by the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

2065. A letter from the Secretary of the Navy, transmitting a report of all claims paid by the Department of the Navy during the fiscal year 1956, July 1, 1955, to June 30, 1956, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

2066. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (5) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

2067. A letter from the Commission, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

2068. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (1) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

2069. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, relative to a letter dated May 6, 1956, relating to the case of Sen Sun Chu, case No. —, involving the provisions of section 6 of the Refugee Relief Act of 1953, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

2070. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

2071. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress, amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of Conference. S. 2182. An act for the relief of the city of Elkins, W. Va. (Rept. No. 2759). Ordered to be printed.

Mr. WILLIS: Committee on the Judiciary. H. R. 11911. A bill to authorize negotiations with respect to a compact to provide for a definition or relocation of the common boundary between Arizona and California, and for the appointment by the President of a Federal representative to the compact negotiations; with amendment (Rept. No. 2761). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 12170. A bill to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Air Field, Minneapolis, Minn.; without amendment (Rept. No. 2762). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H. R. 800. A bill to amend section 1201 of title 18 of the United States Code to authorize the Federal Bureau of Investigation to initiate investigation of any kidnapping in which the victim has not been released within 24 hours after his seizure; without amendment (Rept. No. 2763). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 11968. A bill to permit the State of New York to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes; with amendment (Rept. No. 2764). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 7643. A bill to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 with respect to foreign tax credit for United Kingdom income tax paid with respect to royalties and other like amounts; with amendment (Rept. No. 2765), Referred to the Committee of the Whole House on the State of the Union.

Mr. HILLINGS: Committee on the Judiciary. Senate Joint Resolution 105. Joint resolution authorizing the President of the United States to designate the period beginning September 17 and ending September 23 of each year as Constitution Week; without amendment (Rept. No. 2766). Referred to the House Calendar.

Mr. MILLER of New York: Committee on the Judiciary. S. 3650. An act for the relief of the town of Freeport, Maine; without amendment (Rept. No. 2767). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. S. 3875. An act to amend section 4 (a) of the Vocational Rehabilitation Act, as amended; without amendment (Rept. No. 2770). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. S. 3259. An act to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instructional material for the blind, to increase the appropriations authorized for this purpose, and for other purposes; with amendment (Rept. No. 2771). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of conference. S. 3820. An act to increase the borrowing power of Commodity Credit Corporation (Rept. No. 2772). Ordered to be printed.

Mr. HARRIS: Committee of conference. S. 849. An act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystophy, and for other purposes (Rept. No. 2773). Ordered to be printed.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 576. Joint resolution to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of Alexander Hamilton," approved August 20, 1954; with amendment (Rept. No. 2774). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 9459. A bill to amend section 77 (c) (6) of the Bankruptcy Act; with amendment (Rept. No. 2775). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 12027. A bill to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.; without amendment (Rept. No. 2776). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLEIN: Committee on Interstate and Foreign Commerce. S. 2226. An act to authorize the Attorney General to dispose of the remaining assets seized under the Trading With the Enemy Act prior to December 18, 1941; with amendment (Rept. No. 2777). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 3365. An act to amend section 410 of the Interstate Commerce Act, as amended, to change the requirements for obtaining a freight forwarder permit; without amendment (Rept. No. 2778). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. H. R. 590. A bill to incorporate the Military Order of the Purple Heart, a national organization of combat wounded composed solely of Purple Hearters; without amendment (Rept. No. 2779). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. H. R. 11571. A bill to incorporate the Boys' Clubs of America; without amendment (Rept. No. 2780). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. House Resolution 543. Resolution extending the felicitations of the House of Representatives to the city of Orange, N. J., on the celebration of its sesquicentennial; without amendment (Rept. No. 2781). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. Senate Joint Resolution 114. Joint resolution to change the name of Bedloe's Island in New York Harbor to Liberty Island; without amendment (Rept. No. 2782). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 610. Resolution for consideration of H. R. 7435, a bill to reauthorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri River Basin project; without amendment (Rept. No. 2784). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 611. Resolution for the consideration of H. R. 12061, a bill providing for a civilian atomic power acceleration program; without amendment (Rept. No. 2785). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 612. Resolution for consideration of H. R. 10433, a bill to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry; without amendment (Rept. No. 2786). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 514. An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes; with amendment (Rept. No. 2787). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3338. An act relating to rates charged to public bodies and cooperatives for electric power generated at Federal projects; with amendment (Rept. No. 2788). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 11685. A bill to pro-

vide for the acquisition of Navaho Indian lands required in connection with the construction, operation, and maintenance of the Glen Canyon unit, Colorado River storage project; with amendment (Rept. No. 2789). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. House Joint Resolution 672. Joint resolution to provide for a 230,000-volt line from the Fort Randall Dam in South Dakota to Grand Island, Nebr.; without amendment (Rept. No. 2790). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1079. An act to provide for the sale of certain lands in the national forests; with amendment (Rept. No. 2791). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 2216. An act to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497); without amendment (Rept. No. 2792). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 5275. A bill to amend the Federal Crop Insurance Act, as amended; with amendment (Rept. No. 2794). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 11958. A bill to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest; without amendment (Rept. No. 2795). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. H. R. 1140. A bill for the relief of the Southwest Research Institute; with amendment (Rept. No. 2760). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 1184. An act for the relief of Frank R. Davis; without amendment (Rept. No. 2768). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 3361. An act for the relief of Egbert Carlsson; without amendment (Rept. No. 2769). Referred to the Committee of the Whole House.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 3363. An act for the relief of Miroslav Slovak; without amendment (Rept. No. 2783). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 4058. An act to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946; with amendment (Rept. No. 2793). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FORAND:

H. R. 12298. A bill to make technical changes in the Federal excise tax laws, and for other purposes; to the Committee on Ways and Means.

By Mr. BERRY:

H. R. 12299. A bill to amend the act of August 5, 1947, to grant to owners of property adjacent to lands to be leased by the Secretary of the Army for agricultural or grazing purposes, certain rights with respect to the leasing of such lands; to the Committee on Armed Services.

By Mr. HALE:

H. R. 12300. A bill for the relief of the town of Freeport, Maine; to the Committee on the Judiciary.

By Mr. IKARD:

H. R. 12301. A bill to amend the Internal Revenue Code of 1954 to provide that the acquisition of real property by trade-in shall in certain cases constitute a nontaxable exchange for income-tax purposes; to the Committee on Ways and Means.

By Mr. METCALF:

H. R. 12302. A bill to provide for cooperative unit programs of research, education, and demonstration between the Federal Government of the United States, colleges, and universities, the several States and Territories, and private organizations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. STAGGERS:

H. R. 12303. A bill to provide for the establishment of a fish hatchery in the State of West Virginia; to the Committee on Merchant Marine and Fisheries.

By Mr. FEIGHAN:

H. J. Res. 691. Joint resolution to extend the Refugee Relief Act of 1953 for an additional 6 months with respect to cases pending on December 31, 1956, and to amend the provisions of that act which require aliens to present assurances and certificates of readmission; to the Committee on the Judiciary.

By Mr. GRANT:

H. J. Res. 692. Joint resolution to authorize and direct the Secretary of the Army or his designee to convey certain property located in the vicinity of Montgomery, Montgomery County, Ala., to the State of Alabama; to the Committee on Armed Services.

By Mr. BURDICK:

H. Con. Res. 267. Concurrent resolution providing for a complete investigation of mental health legislative programs which are currently being promoted, and for other purposes; to the Committee on Rules.

By Mr. COOPER:

H. Res. 606. Resolution to amend House Resolution 331 of the 84th Congress; to the Committee on Rules.

H. Res. 607. Resolution providing for the expenses of conducting the studies and investigations authorized by House Resolution 331 and House Resolution 606, 84th Congress; to the Committee on House Administration.

By Mr. HAYS of Ohio:

H. Res. 608. Resolution proposing the withdrawal of diplomatic recognition of the present government of the Polish Peoples Republic; to the Committee on Foreign Affairs.

By Mr. CHELF:

H. Res. 609. Resolution favoring an investigation and report to the Senate on alleged inequities in the policy of the United States with reference to imports of distilled spirits; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H. R. 12304. A bill for the relief of Mrs. Hsin Chuen Li Mok; to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. 12305. A bill for the relief of Chong Jean and Han Jan Jean; to the Committee on the Judiciary.

By Mr. HARVEY:

H. R. 12306. A bill for the relief of Hildegard Kaufmann; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 12307. A bill for the relief of Cecelia Vaccaro; to the Committee on the Judiciary.

By Mr. SHEEHAN:

H. R. 12308. A bill for the relief of Miloslav Lubomir Cermak; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 12309. A bill for the relief of Cynthia Lynn Troutman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1197. By Mr. HENDERSON: Petition of 600 residents of Muskingum County, Ohio, at the instance of World War I veterans of Muskingum County Barracks 454; to the Committee on Veterans' Affairs.

1198. By the SPEAKER: Petition of Paul L. Marshall, New Orleans, La., relative to a suit of complaint against Donald A. Maginnis, Jr; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Mental Health Legislation

EXTENSION OF REMARKS
OF
HON. DONALD L. JACKSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. JACKSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the Santa Monica Evening Outlook of June 5, 1956:

THE OUTLOOK

(By Louise Randall Pierson)

There's been a lot of yacking about mental health lately. And a whole flock of mental health bills have been tossed gaily into Federal and State hoppers.

In talking with people, I find they're pretty confused about the whole thing and my guess is that confusion worse confounded is just what the authors and boosters of these bills are hoping for.

If folks knew what the real score was they might blow their tops and insist the whole mess be dragged right out in the open.

But if any of these bills pass in their present form, you better think twice before you blow your top. This would show that you were emotionally immature and you could be whisked off to the boobyhatch in a plain envelope without previous notification.

Now, we are all aware of the sad fact that what with one thing and another, more people are going batty than ever before.